CITY OF ST. JOHN'S

ST. JOHN'S MUNICIPAL PLAN

Adopted by the St. John's Municipal Council June 9, 2003
Approved by Council October 6, 2003
Gazetted on December 5, 2003

City of St. John's, Department of Planning
P. O. Box 908
St. John's, Newfoundland and Labrador
Canada A1C 5M2
E-Mail: **planning@stjohns.ca**
Phone: (709) 576-8551; Fax (709) 576-8625
www.stjohns.ca

JUNE, 2007

2008-05767/

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PREFACE

This document was prepared for the City of St. John's by **Terrain Group**. Its content is based on a review of the Municipal Plan of the City of St. John's previously revised in 1990 and updated through amendments to February 2002. The review was based on extensive consultation of citizens, notably through 18 Public Sessions and a Public Open House covering the 21 Planning areas defined in this document. These meetings took place from April 15 to June 19, 2002.

The Municipal Plan for the City of St. John's has four parts:

- **PART I** details the purpose and scope of the Municipal Plan, gives a brief description of the Plan's historical background, and states the policies and programs by which the Municipal Plan is to be monitored and amended.

- **PART II** declares the Vision for the City of St. John's to be achieved through the implementation of objectives and policies in Parts III and IV.

- **PART III** describes City-wide objectives, policies, and programs providing guidelines for the development of specific land uses and supporting infrastructure in the City.

- **PART IV** outlines the framework for creating Planning Area Development Plans for specific areas of the City and contains all Planning Area Development Plans approved by the City as of the date of publication of this document.

This structure is a substantial change from the previous version of the Municipal Plan, which was approved in 1993. The 1993 Municipal Plan grouped policies in relation to broad objectives (Part II) and more specific guidance for development regulation (Part III). The content of the new **Part IV** was distributed through former Part III. Planning Area Development Plans, which were then called Planning Area Development Schemes, were dealt with as Section 10 of the previous Part III. As with previous versions of the Municipal Plan, parts of the document that may be issued as separate documents are to be read as integral parts of the Municipal Plan for the City of St. John's.

The new structure is intended to organize the plan from the general to the specific, dealing with broad contextual and City-wide issues and then local or neighbourhood considerations. This is intended to reduce the need for cross-referencing between Parts and Sections. Along with graphic and other changes to the structure of Parts, Sections, and Policies in the Plan, we have included an index that will allow readers to find all references to specific subjects. The result is a Plan that we trust will be easier to use, especially by citizens who want to understand and participate in the planning process.

1 PURPOSE AND SCOPE

This section of the Municipal Plan provides background to this revision of the Plan and its legal basis under the Urban and Rural Planning Act. It also outlines the process of review undertaken in 2002 to create the current document.

The Plan has been prepared based on extensive public review during 2002. It complies with all specifications of the Urban and Rural Planning Act 2000.

A municipal plan is a document with text, maps, and other illustrations that expresses a municipality's policies for planning, use, and future development of land. The St. John's Municipal Plan guides the use of all land and property in the City of St. John's in the overall interest of the municipality and its citizens.

The City of St. John's adopted its first Municipal Plan on January 18, 1984. Before that time, the City had from time to time prepared Municipal Plans. None of these were formally adopted, nor were they updated or amended to reflect changes in policies or in circumstances. The adoption of the St. John's Land Use Zoning and Subdivision Regulations followed shortly after adoption of the Municipal Plan in 1985. Until then, development control had been enforced through a Zoning by-Law and Subdivision Regulations without the guidance of an official statement of City Council's long-term objectives and policies with respect to community development.

The Plan was previously reviewed beginning in 1989. St. John's Municipal Council adopted the revised plan in 1992, its completion having been postponed by the amalgamation of the former Towns of the Goulds and Wedgewood Park, and lands administered by the now defunct St. John's Metropolitan Area Board, including the watersheds of Windsor Lake, Bay Bulls Big Pond, and Petty Harbour Long Pond. The Plan was approved by the Minister of Municipal and Provincial Affairs in 1993 at which time it came into legal effect for the planning period 1993 to 2003.

This version of the Municipal Plan is its second revision. It was reviewed in 2002 through meetings with the public to determine local area concerns and, subsequently, to discuss broad issues that arose therefrom. It conforms to all requirements of the Newfoundland and Labrador *Urban and Rural Planning Act, 2000.*

1 PURPOSE OF THE MUNICIPAL PLAN

The St. John's Municipal Plan is a comprehensive policy document on land use and development of the City. It is:

- a formal statement of policy on land use, physical design, and development, which forms the legal basis for land use development plans and development regulations;

- a means of communicating with all members of the community about the policies and objectives of Council in maintaining and developing the City; and

- a comprehensive framework for decision-making that will help coordinate policies and programs to meet the obligations of local government. When a decision is required on a specific item, Council can consider the matter in relation to the objectives expressed in the Municipal Plan, and the policies and proposals related to those objectives.

By establishing the position of the City on a wide range of land use matters, the Plan assists developers, as well as interested citizens to understand what is permitted or may be considered in the City. Its policies explain the avenues for achieving particular types of development and the mechanisms by which all parties can express their opinions. As such, the Plan provides City Council and municipal staff with a structure for both gathering information and making decisions about land use and development.

1.1 LEGAL BASIS

The City of St. John's derives its authority to produce a Municipal Plan from the Newfoundland *Urban and Rural Planning Act, 2000*, which states in Section 10 that:

> A Council may, by resolution, purpose to prepare a Municipal Plan in accordance with this Act.

Under Section 13(2) of the Act the Plan shall:

a) include a statement of the objectives of the plan;

b) indicate the policies to be implemented under the plan;

c) divide land into land use classes and the use that may be made in each class and shall include prohibited uses of land;

d) include proposals for land use zoning regulations;

e) include proposals for the implementation of the plan;

f) provide provisions with respect to non-conforming uses; and

g) provide for the development of the planning area for a 10-year period.

The Plan is subject to review by the Department of Municipal and Provincial Affairs, Government of Newfoundland and Labrador, which may under Section 15(6) of the *Urban and Rural Planning Act*, "recommend a change and amendment to a proposed plan and development regulations." Following this review, City Council may:

> by majority vote of [its] members,

a) adopt the proposed plan and development regulations; or

b) where the department has recommended a change under subsection 15(6), adopt the proposed plan and development regulations amended in accordance with that recommendation.

1.2 PLAN SCOPE

The *Urban and Rural Planning Act* requires a municipality to designate the area to be covered by any municipal plan it may adopt. In the case of this City of St. John's Plan, policies in **Part II** cover the entire area within the legal boundaries of the City of St. John's. Policies in **Part IV**, apply to specific areas within the city. These are six of 21 Planning Areas defined by the City for the purpose of structuring its planning processes and managing planning-related information. For each of these areas, which are listed at the beginning of **Part IV**, the City has developed Planning Area Development Plans (PADPs). It is expected that additional PADPs may be adopted for other areas over the period to which this version of the Municipal Plan applies.

1.3 PLAN PREPARATION PROCESS

As the discussion above indicates, this Municipal Plan is the second revision of the St. John's Municipal Plan. This version is the result of a review mandated under the *Urban and Rural Planning Act*. The Plan, therefore, reflects the influence of citizens expressing their views through rounds of consultation required for the original plan creation process and two subsequent reviews. Through these successive processes, also, St. John's Municipal Council and staff have gained experience in dealing with planning processes and plan amendments. This current Plan, therefore, reflects the growing experience of the City and the public it serves in managing land use and development.

1.3.1 1984 Municipal Plan

The 1984 Municipal Plan embodied the results of almost two years work on the part of the civic administration aided by a voluntary Advisory Committee and numerous citizen briefs. The 1984 Plan proceeded from the general to the specific; from broad statements of what the City wished to achieve in the coming years (objectives) to increasingly specific statements of how it intended to achieve those objectives (policies, programs, and standards).

1.3.2 1993 Plan Revision

Approval of the 1993 Municipal Plan was deferred while the City went through the process that brought within its boundaries the former Town of Wedgewood Park and the former Town of Goulds, and substantial areas previously administered by the St. John's Metropolitan Area Board. The Plan was eventually approved by City Council in 1992 and prevailed as the City of St. John's Municipal Plan following Provincial approval in 1993 until adoption of this new municipal plan.

1.3.3 2002 Plan Review

The City of St. John's began the second review of the Municipal Plan with presentation of the *St. John's Municipal Plan Review Background Report* on May 30, 2001. This document provided background information on the Plan and the anticipated review process. It also outlined the issues that City staff expected to see addressed during the review process.

The "Background Report" was an information document. Although the planning considerations it set out were important points of discussion, the review process was designed to draw issues from the public rather than present a specific agenda. It began with 18 Public Meetings and an Open House conducted from April to June, 2002. These meetings and the open house covered all of the City's Planning Areas.

The Public Sessions were facilitated by Mr. John Roil. City of St. John's staff outlined current plan provisions and zoning for each area at the outset of each session but specific issues were generally not raised. After these presentations, the facilitator invited interested persons to make submissions. Priority was given to individuals who submitted written requests to speak before each session but these were few. Remaining submissions proceeded informally with many citizens making multiple presentations and generating a dialogue over issues in their area and across the city.

The Public Sessions averaged about 50 individuals, meaning perhaps 600 different people attended during this stage. Probably, at least half spoke to the assembled groups.

1.4 RELATION TO OTHER LEVELS OF PLANNING

The legal hierarchy of planning for the City of St. John's is as follows:

Urban and Rural Planning Act, 2000

?

St. John's Urban Region Regional Plan

?

St. John's Municipal Plan

?

St. John's Development Regulations

The St. John's Municipal Plan must conform to the *St. John's Urban Region Regional Plan*, which was adopted by the Province in 1976. The Regional Plan applies to all land in the St. John's Urban Region, which is essentially the Northeast Avalon Peninsula.

The Regional Plan is the Province's principal document for determining land use and development in the Urban Region. It distinguishes between urban and rural areas, and provides protection for the Urban
Region's agricultural area, resource areas, and designated scenic roads. It is the framework within which municipal plans are prepared by municipalities on the Northeast Avalon.

The St. John's Land Use Zoning and Subdivision Regulations, commonly called the St. John's Development Regulations, implement the policies of the St. John's Municipal Plan and are subordinate to it. The Development Regulations are the primary regulations used to process development applications in St. John's.

1.5 THE PLAN AND THE COMMUNITY

The Municipal Plan will influence activities and decisions in a number of ways. The basic intent of these policies is to protect the public interest and secure the health, safety, convenience, and welfare of the citizens of St. John's. It is also a goal of the Plan to promote sustainable development and economic growth in keeping with the character and aspirations of the City of St. John's and its residents.

The Plan reduces uncertainties regarding types of land uses that can be permitted, and the location and timing of future development. It provides a context for strategic decision-making in the private and public sectors. Citizens can obtain information on their particular part of the city and for the city as a whole. The Municipal Plan is not only a basis for regulation, it includes policies that encourage positive actions by the City, citizens, and developers to benefit the community.

The Municipal Plan also forms the legal basis for land use development schemes and development control regulations. As such, it provides a measure of continuity and a rationale for the administration of such regulations. By providing a role for public involvement in the formulation of Area Plans and regulatory decisions, the Plan also seeks to ensure that public participation will continue to be a major part of the planning process.

1.6 SPECIAL STUDIES AND POLICY DOCUMENTS

Revision of this Municipal Plan has been guided by several major studies undertaken by or on behalf of the City of St. John's. Several further studies have been ongoing as this revision has been prepared. These studies include the following:

- *Downtown St. John's Strategy for Economic Development and Heritage Preservation*, Canning and Pitt, June 2001.
- *City of St. John's Long Range Plan*, 2000-2002.
- *St. John's Transportation Study*, SGE Group Inc., April 1998.
- *St. John's Economic Plan*, City of St. John's Economic Development Committee, April 1997.
- *Watershed Management Plan, St. John's Regional Water Supply*, Kavanagh and Associates, Proctor and Redfern Ltd., and Northland Associates, April 1996.
- *The City of St. John's and the Challenge of Oil*, Cabot Martin, January 1999.
- *A St. John's Arts Community Strategy*, St. John's Arts Strategy Committee, March 1, 1999.

- *Quidi Vidi Village Development Plan*, SGE Group Inc. (ongoing).

- *St. John's Heritage Areas, Heritage Buildings and Public Views Study*, PHB Group Inc., May 2003.

The completed studies and ongoing studies once approved by Council are considered appendices to this Municipal Plan. Additional studies may be conducted and completed during the 10-year period in which this Plan will apply. Such studies as may be considered relevant to this Municipal Plan may be adopted by City Council and similarly recognized as appendices to this document.

2 THE PLANNING PROCESS

The planning process involves varied stakeholders. Provincial legislation and municipal procedures for creating, revising, and interpreting plan policies take this into account in the hierarchy outlined in **Part I, Section 1.4**, above. The reorganization undertaken for this version of the plan is intended to facilitate understanding and communication among groups involved in this process, including the Province, the City, developers, and citizens.

2.1 PLAN ORGANIZATION

Following this Part, three further Parts of this Municipal Plan respectively address the overall Vision for the City, City-wide Objectives and Policies, and PADPs. These Parts progress from the general to the specific and, as such, form a hierarchy, with more specific portions conforming to the preceding, more general components. It is also important to understand the role of the General Land Use Map **(Map III-1)**, which accompanies **Part III** and illustrates the Land Use Districts that provide the framework for the City's zoning regulations.

2.1.1 Vision

Part II of the Plan sets out the Vision for the City of St. John's. The Vision statement describes the future state toward which the Objectives and Policies are directed. Objectives and Policies in **Parts III** and **IV** are to be applied and interpreted in relation to this Vision Statement.

2.1.2 General Land Use Map

The General Land Use Map **(Map III-1)** sets out the Land Use Districts corresponding to the policies in **Part III**. The map describes the future development of the city. Since development is influenced by a variety of factors, some of which are difficult to predict or control, the General Land Use Map is designed to be a flexible guide for development and zoning.

In this light, it should be stressed that the Land Use Districts designated on the map are approximate only, except where they coincide with major roads, rivers, or other clearly-defined physical features. Where the general intent of the General Land Use Plan is maintained, minor adjustments to boundaries will not necessitate an amendment to the Municipal Plan.

For example, where Land Use Policies designate only one District to allow a variety of use categories, the Development Regulations may use any number of zones to allow one or more particular uses selected from these categories for designated areas within the District. Each zone provides for a specific type of use within a Land Use District and sets the parameters for its siting and construction. In this way Council can restrict development within each District as it considers appropriate under the terms of this Plan.

2.1.3 City-wide Objectives and Policies

The policies in **Part III** of this Plan are definitive policy statements by the City on land use and municipal infrastructure. Each policy section in this part is broken into an Objective, General Policies, and Land Use District Policies. The Objective in each case capsulizes the central purpose of the particular section. All policies are intended to advance the stated Objective and the interpretation of policies should be guided by this fact. Land Use District Policies include a preamble defining any breakdown of land use types within each category followed by policies that set the key parameters of zones and related provisions in the Development Regulations. The preamble to **Part III** sets out procedures and provisions that apply to all Land Use Districts. The first section following, called Urban Form, addresses the pattern of urban development and the key elements of municipal infrastructure (i.e., water and sewer, and road networks) that support it and set the framework for land use development.

2.1.4 Planning Area Development Plans

Planning Area Development Plans (PADPs) in **Part IV** cover specific areas of the City that generally correspond to the Planning Areas described in **Section 1.2**, above. At the preparation of this revised Municipal Plan, six PADPs had been prepared and are incorporated in **Part IV**. These area plans provide more detailed guidelines for development in each area. When dealing with development proposals in any area covered by a PADP, Council is to give first priority to PADP policy before the policies of **Part III** policies, which constitute the framework for their development.

Additional PADPs are expected to be developed for incorporation into **Part IV** subsequent to adoption of this Plan. These may be for entire Planning Areas or for part of a Planning Area. A PADP might also be prepared for a combination of Planning Areas, if deemed appropriate. Not all areas of the City, however, require the additional detail of a PADP. Local policies are generally required for areas with a high level of development activity, either where established land uses are in transition or where vacant land is being developed.

2.2 PLAN AMENDMENT PROCEDURE

The St. John's Municipal Plan is written to guide development in the context of a Vision for the City's future that establishes broad goals that are expected to hold over the life of this Plan revision. However, conditions can change: areas may evolve from one land use toward another or developers may propose ideas or developments with merit that were not foreseen when the plan was revised.

For these and other reasons, a municipal council can change any portion of its Municipal Plan, through a formal amendment process provided under Section 25 of the *Urban and Rural Planning Act*. Future

amendments are expected as a natural evolution of the municipal planning process. The amendment process reflects that fact that the St. John's Municipal Plan is a dynamic document not a static one.

The Act requires that council consult the public before proceeding to amend the plan. When considering an amendment or amendments, Council shall evaluate the proposed amendment against the goals, objectives, and purposes of the Municipal Plan before deciding to accept or reject a new policy. The process is provided for in Provincial legislation because it is essential to ensuring that the Plan is flexible and responsive.

2.3 REVIEW PROCEDURE

Section 13(2)(g) of the *Urban and Rural Planning Act* states that a Municipal Plan must consider general development for a period not exceeding ten years from adoption of the document (see **Section 1.1**, above). Section 28 of the *Urban and Rural Planning Act* further requires, however, that every Municipal Plan must be reviewed by its Council within five years from the date on which it came into legal effect.

This Plan will be subject to review in five years from its adoption. The review process can be expected to be subject to the requirements of Provincial planning legislation prevailing at that time.

2.4 ADOPTION OF DEVELOPMENT REGULATIONS

Implementation of Municipal Plan policies requires the preparation and adoption of Development Regulations. These Regulations, the City of St. John's Land Use Zoning and Subdivision Regulations, shall consider all objectives and policies stated in this Plan and implement all policies in **Parts III** and **IV** pertaining to land use restriction and development standards.

2.5 APPEALS PROCEDURE

Appeals procedures are set out in Part VI of the *Urban and Rural Planning Act*. Under Section 40(2), Newfoundland's cities (i.e., St. John's, Mount Pearl, and Corner Brook) are each empowered to establish a local appeals board. The Development Regulations outline the procedure for establishing a Local Board of Appeal to hear appeals arising from their enforcement. Any person may appeal any decision of Council or an authorized officer of Council, such as the Development Officer, made under the St. John's Development Regulations. The Board must consider each appeal in accordance with the intent of the Municipal Plan, the Regulations, and any further plans, schemes, or regulations in force at the time.

The decision of a majority of the members of the Appeal Board present is the decision of the Board.

II VISION

The Vision Statement for the City of St. John's describes the values addressed by this Municipal Plan and the future desired for the City. It provides the frame work within which objectives and Policies in **Parts III** and **IV** have been developed.

St. John's is the capital city of Newfoundland and Labrador. It was first settled in 1497 and has a long, rich history as a sea port, a capital, and the major centre of population in Newfoundland and Labrador. With its harbour protected on all sides by hills, it offers superb views of land and ocean. It is also a centre of governance and culture that embodies the unique character of Newfoundland and Labrador. With so much in its past and a bright future ahead, St. John's offers planners a special challenge to sustain its legacy while developing its potential.

The policies of this Plan and their future application are guided by the following Vision for the City of St. John's:

> *This Municipal Plan has been adopted to preserve and enhance the City of St. John's as one of the oldest continuous settlements in North America, as a home for its citizens, and as the economic engine of the Province of Newfoundland and Labrador.*
>
> *This Vision will be achieved through reinforcement of the physical and social features of the city that define its character, notably the harbour, the Downtown, and the many distinct communities within its boundaries. It is the goal of this Plan to continue to nurture the City of St. John's as a leading community in Atlantic Canada, and as a home that provides its residents with diverse and high quality housing, employment opportunities, and the full range of supporting services.*

The Plan progresses from the general to the specific. This Vision Statement is at its apex declaring the future toward which the City is striving. Management of land use and development is intended to implement the Vision.

This Vision implies many objectives. **Parts III** and **IV**, following, set out objectives and statements of policy with respect to land use and development that flow from this Vision. The Vision is a statement that sets the framework for the objectives and policies.

III CITY-WIDE OBJECTIVES AND POLICIES

This part of the Municipal Plan sets out policies applicable to the entire City of St. John's. These policies are further divided into policies dealing with land use and infrastructure. These policies are to be applied in conjunction with the General Land Use Map (**Map III-1**). Land use policies, such as those for residential lands in Section 2, are to be given priority by City Council when considering developments in areas designated in any of the categories of "Residential" on the General Land Use Map. Council gives secondary consideration to other land use and infrastructure policies, recognizing that infrastructure policies set the context for land use policies.

The St. John's Municipal Plan is a comprehensive policy document on land use and development of the City. It provides an overall structure for decision-making. The organization of this part, reflects both the comprehensiveness of the Municipal Plan and its structured approach.

Objectives and Policies of the Plan follow from the Vision Statement in **Part II** and are to be interpreted in relation to it. In addition to an overall Objective each section is divided into General Policies and Land Use District Policies. General Policies cover commitments such as the intention of City Council to follow a particular course of action or encourage particular outcomes, or to undertake special initiatives. Land Use District Policies define Permitted Zones that are compatible with the particular District. They also identify Conditional Zones that may be considered compatible under certain circumstances with appropriate investigation and review.

Land Use Districts

The major purpose of the Land Use Districts is to identify and describe the recommended dominant land use and to provide parameters for development. In addition to direct identification of the each Land Use in relation to the associated type(s) of building or property (e.g., single detached dwelling, convenience store, cemetery), Land Uses are generally defined quantitatively in terms of Height and Floor Area Ratio. Height is the maximum height permitted for a building in terms of the number of storeys or a metric dimension. Floor Area Ratio is the maximum ratio allowed between the floor area of a building on a lot and the area of that lot. These controls restrict the maximum bulk of buildings allowed in zones under a particular District. The maximum Height and maximum Floor Area Ratio provided for individual land use zones permitted within a District may vary as long as they do not exceed the maximum limit provided for the District as a whole.

Permitted and Conditional Zones

Within each Land Use District the Plan recognized Permitted and Conditional Land Zones. Permitted Zones are considered compatible with the dominant land use of the subject District. Conditional Zones may be compatible with the dominant land use of a District, subject to specific conditions or controls.

The distinction recognized that an array of land use types may be suitable with a District. For example, single detached dwellings are the only "permitted" use in the Residential Low Density District. The Plan recognizes, however, that medium density housing such as semi-detached dwellings and townhouses can be mixed with single family dwellings under appropriate conditions. Higher density residential types can, therefore, be considered provided that the associated proposal can be demonstrated to be compatible. The criteria for determining compatibility are as follows:

- $ the particular zones are found to be compatible with the dominant use of the District(s) in which they are to be located;

- $ impacts associated with the particular zones are compatible with the policies adopted under this Plan; and

- $ the height and bulk of the developments permitted in such zones is compatible with the physical scale of the buildings in such District(s).

Land Use Assessment Report

Where the compatibility of the proposed uses cannot be adequately evaluated, the City may require a Land Use Assessment Report, such as consideration of a Conditional Zone.

A Land Use Assessment Report is any report prepared by suitably qualified persons to assess any significant impacts a use or development may have on the urban environment and/or the quality of life of its citizens. Without restricting the generality of this definition, such a report could include:

- $ studies on impacts on the natural environment;

- $ land use impacts on the community;

- $ impact assessments of a particular zone on the dominant use of a District under this Plan; or

- $ any other land use, architectural, traffic, and environmental analyses pertinent to this Plan.

The Terms of Reference for a Land Use Assessment Report shall be approved by Council prior to its preparation and shall become an integral part of the report itself. The report and any supporting studies may be prepared at the expense of the applicant or developer. The report shall identify significant impacts, evaluate their importance, and recommend measures of control or mitigation where appropriate. Prior to considering approval of a Land Use Assessment Report, the City shall provide adequate time for a public review of the report.

Notwithstanding this requirement, Council may deem that a Staff Report shall constitute a Land Use Impact Assessment where the scale or circumstances of a proposed change or development proposal do not merit such extensive analysis.

1 URBAN FORM

Land Use Districts

- $ All Land Use Districts
- $ Urban Expansion
- $ Rural
- $ Restricted

The broadest objective of land use policies is to facilitate an efficient pattern of development. Generally, this means building a compact city. A compact city makes better use of its infrastructure and needs less roadways. With shorter distances to travel to work and shopping, car trips are reduced and transit use is facilitated. Often too, parks, schools, and facilities can be used more intensively, meaning the same investment will serve more people. A compact city, furthermore, reflects the traditional character of much of St. John's, exemplified by such areas as the Downtown, Georgetown, and Churchill Park.

Encouraging development of a compact city is particularly challenging for the City of St. John's because of its geography and history. The Northeast Avalon is a rugged area. Slope and geology challenge builders in many areas. Indeed, the earliest settlement of St. John's was on some of the rockiest and steepest slopes. The reason, of course, was that these lands border the harbour, which provided the lifeblood of the community as it developed around the fishery.

The Downtown and adjoining areas developed prior to 1945 present their own challenges. Relatively narrow streets, dense development, and a street system that, due to topography and history, follows an irregular form restrict traffic in many directions and allow for little public or private open space. City policies on parking and 'limited circulation' in the Downtown have sought to balance development of the Downtown with its traditional character.

Similar, relatively dense development occurred in other harbours and coves within the region where fishing villages grew up. Some, like Quidi Vidi, were absorbed into the city many years ago, others like Blackhead joined the City through later amalgamations. Inland communities such as Wedgewood Park and the Goulds also grew separately and then merged physically with the City through growth and, politically, through amalgamation. Still other communities, like Petty Harbour, Portugal Cove, and Mount Pearl have stayed separate from the City of St. John's, although their growth and development affects the city in many ways.

In short, the development of St. John's has not resulted from the orderly movement of population and business from the historic centre of the region. It has been characterized by the development of many dispersed communities, some resulting from separate economic functions and others from leapfrogging residential developments that have largely accommodated residents working in St. John's. Certainly the city has spread but many of its areas grew under the jurisdiction of the former Metro Board or separate municipal governments.

Servicing studies for the Goulds and for many other areas of the city have recognized the need for growth management to minimize capital expenditures. So too has the City of St John's Transportation Plan completed in 1998. It recommended four 'policy and management initiatives' in addition to infrastructure (i.e., roadway) improvements. The first recommendation was to set specific goals for the proportion of trips to be taken by transit as opposed to automobiles. The second recommendation was to put off the establishment of a truck route system because the City's current transportation network cannot support it. The Transportation Plan recommends ongoing consideration of truck routing as infrastructure and intersections are improved in order to provide the basis for a truck route network.

The third policy recommendation relates to integrating bicycle travel within the motor vehicle network. Finally, the Transportation Plan recognizes the impact of dispersed development in the St. John's Region on the number and length of required trips, as well as on the viability of transit.

1.1 OBJECTIVE

Encourage compact urban form to reinforce the older areas of St. John's, to reduce the cost of municipal services, and to ensure orderly development in new areas.

1.2 GENERAL POLICIES

Achieving a compact city requires commitment to orderly land use patterns. In addition to the direct commitment to increase density and mix land uses, the City must ensure the provision of appropriate supporting infrastructure. The City must also limit growth in areas where it may threaten the natural environment and require the extension of infrastructure networks at undue cost.

1.2.1 Development in Serviced Areas

The City shall encourage new development and redevelopment in areas serviced with municipal water and sewer extending existing networks in adjacent areas where capacity is sufficient but, especially, emphasizing opportunities within currently serviced areas where existing systems can accommodate increased density or infill.

1.2.2 Development Density

The City shall encourage increased density in all areas where appropriate.

1.2.3 Residential Development

The City shall:

1. increase densities in residential areas where feasible and desirable from a general planning and servicing point of view;

2. encourage a compatible mix of residential buildings of varying densities in all zones;

3. encourage conservation, compact renewal, and infill in the older parts of the City; and

4. minimize sprawl by encouraging large-scale integrated developments in all expansion areas.

1.2.4 Mixed Use

The City shall encourage the mixture of land uses in all areas.

1.2.5 Road Classification

The main functions of roads are to facilitate circulation and provide access to properties. Where possible and when not in conflict with these key functions, roads can also be used for other purposes such as amenity areas and parking. The Municipal Plan uses the following classification of roadway functions applied as employed in the St. John's Transportation Plan (1998):

Local Streets

Low speed two-lane roadways designed to provide access to individual properties. The movement of traffic is a secondary consideration. Traffic volumes are generally expected to be less than 3,000 vehicles per day.

Collectors

Low speed two-lane roadways designed to collect traffic from local streets. Access to individual properties and the movement of traffic are given equal priority. Right of way widths are typically larger than local street right of way widths. Traffic volumes typically do not exceed 8,000 vehicles a day when servicing residential zones and 12,000 vehicles per day when servicing industrial or commercial zones.

Arterials

Roadways designed to move traffic quickly from one part of the City to another at speeds not exceeding 70 km/h. Arterials are defined in two categories:

1. Minor Arterials - Low to moderate speed roadways with similar characteristics to Major Arterials but without the right of way provisions to provide more than one lane in each direction. Traffic volumes are generally less than 20,000 vehicles per day. Access control would be moderate.

2. Major Arterials - Low to moderate speed multi-lane roadways where the movement of traffic is given priority over property access. Traffic signals are used to control flows at major intersections. Moderate to rigid access control. Traffic volumes can reach as high as 30,000 vehicles per day.

Freeway

High speed roadways designed to move free-flow traffic quickly from one part of the City to another. The movement of traffic is the prime objective. Intersecting roadways are grade separated. Access to individual properties is not permitted. Traffic volumes generally exceed 30,000 vehicles per day.

1.2.6 Strategic Road Initiatives

The City shall endeavour to improve its roads in accordance with the St. John's Transportation Study (1998).

1.2.7 Reduce Automobile Trips

The City shall provide a greater concentration of interrelated land use functions by:

1. integrating all basic residential services (shopping, school, recreation, and work) on a neighbourhood basis; and
2. encouraging alternatives to the car such as walking, cycling, or use of transit.

1.2.8 Public Transit Service
The City shall assist in increasing the use and viability of public transit by working with the St. John's Transportation Commission, which operates Metrobus.

1.2.9 Walking
To encourage walking for transportation and recreation the City shall provide sidewalks, pedestrian lanes, and walking trails where determined to be appropriate within neighbourhoods to connect neighbourhoods as part of the Grand Concourse, the East Coast Trail Route, and similar planned walkway and trail networks.

1.2.10 Bicycling
Bicycles shall generally be used on city streets as part of street traffic.

1.2.11 On-street Parking
The City shall continue to use its Residential Parking Permit Program where needed.

1.2.12 Off-street Parking
The City shall establish standards for off-street parking.

1.2.13 Parking Exempt Areas
The City may exempt all or some developments within a designated area from the requirements of the private parking standards, subject to the review and approval of a rationale for the exemption and providing a program for the development of off-street parking when required.

1.2.14 Municipal Services in Unserviced Areas
Residential Development shall not be permitted unless adequately serviced with municipal roads, water distribution, sewage disposal, and electrical distribution systems. Where such development is contemplated in unserviced areas, it shall only be permitted after evaluation of the level of municipal services required, and the adequacy of private water and sewage disposal systems provided. Development in unserviced areas that are intended to be serviced with municipal water and sewer systems shall be controlled in accordance with a comprehensive development plan for future urban development of the area, to ensure that future urban development shall not be compromised by interim rural development of the area.

1.2.15 Development in Rural Areas
The City shall set appropriate standards to ensure the quality of the rural environment.

1.2.16 Development Restriction - Land Above the 190 Metre Contour
Notwithstanding any other provisions of the Municipal Plan, no residential development utilizing

municipal water and/or sewer services or on-site water and/or sewer services, shall be permitted above the 190 metre contour line.

1.3 LAND USE DISTRICT POLICIES

This Plan recognizes three overall forms of development:

Urban Development

Urban development takes place on lands with full municipal services, specifically with urban roads having pavement, with curb and gutter, and generally with sidewalks on at least one side, and piped municipal sewer and water services.

Rural Development

Rural development occurs on lands that have not been provided with full municipal services. Such development is dependent on long term private water and sewage disposal systems but with access to a rural road or not less than two paved circulation with lanes drainage ditches to each side.

Rural Infill

Additional rural infill development is limited rural development in partly developed, unserviced areas along public roads existing as of January 1, 1992, exempt for Arterials and Scenic Roads as identified in the Regional Plan. Infill is allowed to rationalize the provision of limited municipal services for such unserviced areas, provided it does not necessitate premature installation of full municipal services.

1.3.1 All Land Use Districts

Permitted Uses

The City may permit the following uses to support residents and businesses in any District:

1. public works and services;

2. utilities;

3. open space uses, including parks, walkways and trails, and cemeteries; and

4. buildings accessory to residential uses.

Temporary Zones

The City may use a land use zone that protects the existing land use, notwithstanding the requirements of the General Land Use Map (**Map III-1**), provided the use of such zoning is temporary and designed to ensure an orderly transition from existing land use to the land use recommended by this Plan.

Non-conforming Development

The City shall allow a Development or Use of land to continue in a manner that does not conform to the St. John's Municipal Plan and the St. John's Development Regulations provided that:

1. the Non-conforming Use legally existed before the coming into effect of the St. John's Development Regulations 1994;

2. Council may permit the modification or change a Non-conforming Development; and

3. where a Building is damaged or deteriorated, Council may, upon application, approve a permit to repair or reconstruct the Building to restore the Non-conforming Use, provided that the Building is not damaged and/or deteriorated to an extent of 50 per cent or more of the value of the Building. However, where Buildings are primarily zoned and used for residential purposes, the value of the damage and/or deterioration of the Building shall not be considered.

1.3.2 Rural

Permitted Zones

The Rural District applies to those lands that are not intended to be developed for urban development within the ten-year planning period. In this District the City shall apply zones accommodating

1. non-urban land uses, including agriculture, forestry, conservation, and protection of the natural environment, and dwellings accessory to such uses, are permitted;

2. rural residential infill development along existing roads, provided the quality of the rural environs is protected and the municipal services required are acceptable to the City.

3. Rental Storage Use, sales, rental and servicing of recreational equipment, auction houses, float plane operations, and related facilities. (2004-12-24) (2006-12-29)

Conditional Zones

Subject to a Land Use Assessment Report, the City may permit the following zones where deemed appropriate by Council:

1. industrial zones, provided it can be shown that a rural location is essential for the operation of the proposed industrial use;

2. commercial zones, located near a major arterial as identified in the Regional Plan to serve regional highway traffic; and

3. zoning for tourism-related recreation and commercial use provided that it can be shown that a location in a rural area is essential to the operation of the proposed tourism related use, and provided that no development shall be permitted immediately on or in any location so as to impair the visual integrity and views from roads that are generally considered by the public to be of scenic importance, and views of and from major historic and scenic resources.

Development Policy

The requirements for conditional zones are as follows:

1. requirements for commercial and industrial development should be site and use specific;

2. in designated Infill zones, rural residential development shall not exceed a density of 5 dwellings per net ha, or not more than 60 dwellings per 1 km of public road;

3. except as permitted by preceding point 2, no lands for unserviced residential subdivision development on an existing public road shall be developed for any lot with a lot area less than 4,000 m^2 and a lot frontage less than 45 meters; and

4. dwellings in this District shall be placed on the lot in such a manner as to permit the future subdivision of the lot should the lot become serviced by municipal water and sewer services or the need arises to accommodate the installation of an alternate on-site septic disposal system on a lot.

Residential Subdivisions in Unserviced Areas

Before approvals are issued for a residential subdivision of three or more lots in unserviced areas, a Land Use Assessment Report shall be required to determine:

1. the suitability of soils, ground water tables, and drainage patterns for development and long term use of private water supply and sewage disposal systems;

2. the long range impacts of private sewage disposal systems on private water supply systems in nearby areas, and the contingency plans for water supply in case of ground water pollution,

3. the type and range of municipal services to be provided by the City for the development;

4. the environmental impacts of the development on nearby waterways and wetlands;

5. the impacts of the development on the rural quality of the area proposed for development; and

6. the measures to be undertaken to mitigate any of the potential impacts of the development.

2 RESIDENTIAL

Land Use Designations

$ Residential Low Density
$ Residential Medium Density
$ Residential High Density
$ Residential Downtown

Perhaps the single most important function of municipal government is assisting in the provision of suitable, affordable, and attractive environments for housing of all groups in the population. Residential development is by far the largest category of urban land use in St. John's. As such, it has a major influence on the character of the city and the quality of life of its inhabitants. Residential environments, furthermore, are arguably more sensitive to other land uses and, therefore, require a higher degree of protection from other types of development.

Residential Districts are areas that will be developed primarily for residential purposes. Within these Districts the functioning of the evolving residential environment will be protected from other residential or non-residential land use that may be determined to be incompatible. That being said, it is implicit in the Vision for the City of St. John's and in the foregoing objectives and policies pertaining to Urban Form that the City will encourage mixed land use and higher density development where it is opportune. Provisions are included to allow the development of neighbourhood-supportive commercial uses like convenience stores, day care centres, and parking areas. Policies also encourage the supply of housing through the proactive initiative of the City, and through infill and intensification.

2.1 OBJECTIVE

Maintain and improve neighbourhood character and quality of life in residential neighbourhoods through maintenance and improvement of housing quality and variety, good subdivision design, management of non-residential land use, and appropriate infill.

2.2 GENERAL POLICIES

The fundamental role of the City with respect to residential land use is to provide good quality neighbourhoods in which to build houses and live. Provision of necessary municipal services and protection from incompatible uses are fundamental to achieving this goal. The following policies seek to enhance neighbourhood quality and ensure an adequate supply of land for housing.

2.2.1 Maintain and Improve Neighbourhood Character and Quality

The City views the neighbourhood as the basis for comprehensive planning of the residential environment. The historic pattern of development has given the City a varied housing stock in well-defined neighbourhoods. It is accepted that these differences contribute to the character of St. John's. Through public initiatives and appropriate development, the City shall encourage and guide the development of such areas so as to conserve and improve their individual quality.

2.2.2 Provide Good Residential Neighbourhoods at Reduced Public Cost

The improvement of neighbourhoods requires provision of municipal services to accepted standards. Maintenance, upgrading, and extension of services should be undertaken as cost-effectively as possible to conserve public and private funds, and to facilitate improvements for the maximum number of neighbourhoods within each fiscal year.

Promote Infill
The City shall promote more intensive use of existing services through infill, rehabilitation, and redevelopment projects.

Noise Control
The City shall use subdivision, siting, and landscaping standards to control noise resulting from highways, industrial, and airport activities.

2.2.3 Provide an Adequate Land Supply
The City shall cooperate with the Government of Newfoundland and Labrador, and private enterprise to provide an adequate supply of serviced land to meet requirements for housing.

2.2.4 Increase Housing Supply
The City recognizes the primary role of private industry in the provision of housing. However, where a need exists, the City shall participate in the provision of housing. The role of the City will be to complement and cooperate with private industry, and the Federal and Provincial governments.

City Support for Housing
The City shall encourage the provision of increased housing by:

1. assisting private groups (co-ops and others) in obtaining land for housing;

2. active promotion and use of Federal and Provincial funds for housing; and

3. assisting in the conservation and rehabilitation of housing where needed and economically feasible.

Social Housing
The City recognizes the need for housing assistance to a significant section of the population. It also recognizes the importance of personal choice in achieving satisfactory occupancy. In view of this, the City shall urge the Federal and Provincial governments to reinvest in social housing and to establish and support affordable housing initiatives.

Infill Housing
The City shall encourage the development of infill housing.

Rehabilitation
The City shall encourage the rehabilitation and preservation of existing housing stock.

2.2.5 Maintain and Improve Housing Quality and Variety
The City, through this Plan and appropriate zoning regulations shall work toward:

1. protecting residential neighbourhoods from undesirable impacts of traffic and incompatible or non-residential uses; and

2. enhancing neighbourhoods by encouraging the development/redevelopment of quality housing within these areas, and as well, capitalizing on any opportunities to diversify same.

2.2.6 Major Non-Residential Development Adjacent to Residential Districts

Non-residential development adjacent to dwellings in Residential Districts shall be designed to minimize detrimental effects on adjacent residential areas and, to this end, wherever a non-residential development adjoins a residential area:

1. Landscaping of non-residential properties shall screen parking, shipping, and storage areas directly visible to adjacent dwellings;

2. Any noise or odours resulting from the non-residential site shall be controlled so as to minimize negative effects on adjoining residential properties; and

3. Outside lighting shall be directed onto the non-residential site, to avoid spillover onto adjoining residential properties.

Before considering approval of a significant extension to or intensification of a major non-residential use in or adjacent to a Residential District, Council may require a Land Use Assessment Report.

2.3 LAND USE DISTRICT POLICIES

Residential development takes a variety of forms that are needed to meet the housing needs of all citizens. This Plan recognizes and accommodates residential development in the following Districts:

Residential Low Density

The Residential Low Density designation applies to those areas characterized by a predominance of single detached dwellings.

Residential Medium Density

The Residential Medium Density designation applies to those areas that could accommodate a variety of housing types, ranging from semi-detached and duplex dwellings to townhouses and walk-up apartments.

Residential High Density

The Residential High Density designation has been applied to selected Residential Medium Density Districts on the General Land Use Map (**Map III-1**) that have a potential for high density apartments. This does not mean that all land within Residential Medium Density Districts so designated can be developed for high density apartments. Only sites located on or near an arterial road, close to commercial services, recreational facilities, and open space would qualify for such use.

Residential Downtown

This District is designated to promote conservation and small-scale redevelopment sensitive to the existing density, bulk, and design of surrounding buildings.

2.3.1 Residential - Low Density

Permitted Zones

In this District, the City shall permit zones providing for single detached dwellings.

Conditional Zones

Subject to a Land Use Assessment Report, the City may permit zones to allow such Medium Density Residential uses as may be deemed by Council to be compatible with single detached dwellings.

Maximum Permitted Density

25 units per net hectare, except in areas developed prior to 1940, where the maximum density may be 35 dwelling units per net hectare.

Building Height and Area

Buildings located in a Residential Low Density District shall be generally low profile, not exceeding two storeys or a Floor Area Ratio of 0.5. Subject to a Land Use Assessment Report, individual projects may be zoned to allow heights up to three storeys with a Floor Area Ratio not exceeding 1.0.

2.3.2 Residential - Medium Density

Permitted Zones

In this District, the City shall permit zones providing for the following residential uses:

1. single detached dwellings,
2. semi-detached dwellings,
3. duplexes,
4. townhouses; and
5. walk-up apartments.

Conditional Zones

Subject to a Land Use Assessment Report, the City may permit zones to allow such other High Density Residential uses as may be deemed by Council to be compatible with Medium Density Residential uses.

Maximum Permitted Density

50 dwelling units per net hectare.

Building Height and Area

Buildings in a Residential Medium Density District shall not exceed three storeys, or a Floor Area Ratio of 1.0. Subject to a Land Use Assessment Report, selected areas may be zoned to allow heights up to six storeys and Floor Area Ratios up to 1.5.

2.3.3 Residential - High Density

Permitted Zones

In this District the City shall permit zones providing for Medium Density Residential Uses.

Conditional Zones

Subject to a Land Use Assessment Report, the City may permit zones to allow High Density Residential uses.

Maximum Permitted Density

80 dwelling units per net hectare.

Building Height and Area

Buildings in a Residential High Density shall not exceed four storeys. Subject to a Land Use Assessment

Report, selected areas may be zoned to allow heights not exceeding ten storeys or a Floor Area Ratio of 2.0.

2.3.4 Residential - Downtown

Permitted Zones

The City shall permit single-detached dwellings, semi-detached dwellings, duplexes, townhouses, and apartments not exceeding four units per building;

Conditional Zones

Subject to a Land Use Assessment Report, the City may permit zones to allow apartments not exceeding 24 units per building and boarding homes.

Maximum Permitted Density

100 dwelling units per net hectare.

Building Height and Area

Buildings in a Residential Downtown District shall not exceed three storeys or a Floor Area Ratio of 1.5. Subject to a Land Use Assessment Report, areas may be zoned to allow heights not exceeding four storeys or a maximum Floor Area Ratio or 3.0, subject to the necessary controls to protect the surrounding District.

2.3.5 Neighbourhood Commercial

Conditional Zones

Subject to a Land Use Assessment Report, the City may permit zones to allow Commercial Neighbourhood uses (see **Part III, Section 3.3.1**) in any Residential District.

3 COMMERCIAL

Land Use Districts

- $ Commercial Neighbourhood
- $ Commercial General
- $ Commercial Downtown
- $ Commercial Highway
- $ Commercial Atlantic Place

With the development of the regional highways and suburban growth, the commercial structure of St. John's is changing. New commercial developments arise and older business areas must adjust. The role of the City is to ensure an adequate level of commercial services throughout St. John's by facilitating appropriate development in new areas, maintaining the viability of older areas, and minimizing the impact of commercial development on residential neighbourhoods and municipal services.

In the Commercial Districts, the predominant use is commerce, which is defined as the buying and selling of goods and services and the provision of office accommodation. This classification need not prevent land being used for other purposes, provided that it will not hinder or prevent the areas from being used for commercial development. Other uses of land that may be permitted include residential dwelling units and residential buildings. ***2007-04-05***

3.1 OBJECTIVE

To ensure an adequate supply of suitable land to accommodate a range of commercial activity throughout the City to meet the needs of residents and to offer opportunities for work and employment.

3.2 GENERAL POLICIES

Retail uses in Commercial areas directly serve residential areas and office uses attract employees from Residential Districts daily. It is, therefore, necessary and desirable to place commercial facilities close to developed residential neighbourhoods. The following policies are devoted to defining and encouraging commercial development in suitable locations to serve residents and visitors with appropriate measures to mitigate their impacts on residential areas.

3.2.1 Adequate Service Levels

The City shall provide ample scope for business expansion at appropriate locations throughout the city and assist in the reorganization and redevelopment of older business areas, particularly the Downtown.

3.2.2 Development Impacts

The City shall ensure adequate control of commercial developments to limit any detrimental effects that may result from such developments.

3.3 LAND USE DISTRICT POLICIES

Retail and personal service facilities are provided at levels pertaining to the area of the city that they serve. In establishing satisfactory service levels, this Plan recognizes and accommodates commercial development in the following Districts:

Commercial Neighbourhood
Retail and personal services for residential areas provided as convenience stores or in other uses and forms compatible with residential environments located in or near such areas.

Commercial General
Commercial services for all purposes located in commercial and selected industrial areas. They could include retailing, personal services, offices, transient accommodation, automotive services, and selected commercial/industrial services, which may include wholesale and warehousing operations, and shall include Regional Shopping Centres with more than 10,000 m² of floor space.

Commercial Highway
Retail and services to the general public situated in strips along major arterials.

Commercial Downtown
Downtown retail and services accommodating all downtown functions.

Commercial Atlantic Place
A specialized commercial district applicable to 215 Water Street within the Downtown.

3.3.1 Commercial - Neighbourhood

Permitted Zones
In this District, the City shall permit zones providing for the following uses:

1. businesses in the dwelling of the operator, including home occupations, bed and breakfast homes, boarding houses, family and group care centres, children's daycare centres, and adult day care facilities;

2. offices;

3. convenience stores/shops not exceeding a floor area of 200 m²;

4. parking.

3.3.2 General - Commercial

Permitted Zones
In this District, the City shall permit zones providing for the following uses:

1. Neighbourhood Shopping Facilities not exceeding 1,000 m²;

2. offices;

3. transient accommodation; and

4. ***residential.*** ***2007-04-05***

Conditional Zones
Subject to a Land Use Assessment Report, the City may permit zones to allow the following uses:

1. automotive services;

2. entertainment and assembly;

3. parking;

4. schools, churches, and parish halls;

5. recycling depots;

6. General Commercial Services; and

7. Regional Shopping Centres.

Building Height and Area
Building heights in this district are limited to two or three storeys and Floor Area Ratios not exceeding 1.0. However, zoning may be provided for buildings allowing building heights of up to ten storeys and a maximum Floor Area Ratio of 2.0. For the Belvedere property, located between Bonaventure Avenue and Newtown Road, building heights are limited to three storeys.

3.3.3 Commercial - Highway
In this District, which provides for retail and personal services to the public along arterial highways, the City shall permit zones providing for the following uses:

1. retail;

2. service shops;

3. automotive services;

4. offices;

5. warehouses and recycling depots;

6. transient accommodation; and

7. parking.

Conditional Zones
Subject to a Land Use Assessment Report, the City may permit zones to allow the following uses:

1. day care centres and nursery schools;

2. entertainment and recreation facilities, provided such uses are compatible with adjoining commercial use; and

3. schools, churches, and parish halls.

Building Height and Area
Building heights in this District shall not exceed a height of 15 metres or a Floor Area Ratio of 1.0.

3.3.4 Commercial - Downtown

Permitted Zones
In this District, which applies only in the Downtown (see **Map III-1**), the City shall permit the following commercial uses:

1. retail;

2. service shops;

3. public;

4. horticultural operations;

5. office; and

6. transient accommodation.

Conditional Zones
Subject to a Land Use Assessment Report, the City may permit zones to allow the following uses:

1. convention centre;

2. residential; ***2007-04-05***

3. entertainment;

4. cultural facilities;

5. private parking

6. schools, churches, and parish halls; and

7. recycling depots.

Building Height and Area

This District allows buildings not exceeding 15 metres in height with a Floor Area Ratio not exceeding 3.0 except where otherwise provided in the Development Regulations. In a situation where owing to substantial grade differences on a lot with frontage on more than one public street, a multi-storey building would have a storey higher than 6.0 metres, Council may increase the maximum Floor Area Ratio to 4.0, provided the maximum Building Height in metres is maintained. (2008-05-02)

Additional bulk and height may be permitted as a bonus in the areas outlined on **Map III-2** to a maximum of twelve storeys with a Floor Area Ratio of 6.0. To qualify for such bonus, the proposed development shall meet the following requirements:

1. the lot depth for the proposed building shall not be less than 40 m;

2. building heights in excess of four storeys shall be controlled by means of light angles (see **Map III-2**), designed to reduce the physical impact of high buildings on adjoining streets and public open spaces, allowing for adequate sunlight, minimizing building-generated wind velocities, and preserving harbour views from streets and public open spaces;

3. adequate off-street parking representing not less than 100 per cent of the parking required by the City shall be made available on site, concealed in a building; and

4. floor space inside the building at or near grade shall be made available for the use and enjoyment of the public.

Building Height in Heritage Areas

The additional height bonus as provided in the preceding Section is restricted to a maximum of ten storeys, where the building is located in a Heritage Area (see **Part III, Section 7**). In addition, any building in excess of four storeys in such areas shall be set back no less than eight metres from the street line.

3.3.5 Commercial - Atlantic Place

Permitted Uses

In this District, which applies only to Atlantic Place at 215 Water Street, the City shall permit uses permitted in the Commercial Downtown District.

Building Height and Area

This District allows building not exceeding thirteen storeys in height with a Floor Area Ratio not exceeding 10.8.

Off-street Parking

Development in this District shall not be required to provide any private off-street parking spaces.

4 INDUSTRIAL

Land Use Districts	
$	Industrial
$	St. John's Airport (including Noise Exposure Contours)

The City of St. John's has service industries, manufacturing, high technology businesses, and warehouses serving many parts of Newfoundland and Labrador. The Port of St. John's and St. John's International Airport are key transportation and industrial facilities. Most industry is in commercial-industrial areas such as O'Leary Industrial Park, at the harbour and the airport, or within easy access of the Trans Canada Highway and its extension, the Outer Ring Road.

Industrial properties are used to manufacture, store, and distribute goods, and to provide associated services. Industrial uses usually accommodate large trucks and need good access to highway, marine, or air transportation. As these and other features of industrial operations can have significant impacts on other land uses, they must be located with care.

4.1 OBJECTIVE

To facilitate and promote industrial development in appropriate locations, including St. John's International Airport and the Port of St. John's.

4.2 GENERAL POLICIES

The Municipal Plan categorizes industrial land based on its specialization (i.e., related to harbour, airport, highway, or quarrying) and its impact on adjacent land uses from noise, smoke, odours, and so on.

4.2.1 Promote Existing Industrial Lands

The City shall reinforce the industrial use of existing industrial areas, taking into account the need for good road access, opportunities for growth, and separation from incompatible land uses.

4.2.2 Planning for New Industrial Areas

The City shall plan for the orderly growth of new industrial areas in appropriate locations, as the demand for industrial property arises.

4.3 LAND USE DISTRICT POLICIES

This Plan recognizes and accommodates industrial development under a single Land Use District that recognizes and accommodates light industries (i.e., industrial or commercial/industrial enterprises that are appreciably free of hazards and nuisances to adjoining properties but may include compatible offices and commercial services), major industries, airport-and harbour-related activities, and other industrial uses that could cause nuisances for other land use categories.

4.3.1 **Industrial**

In this District, the City shall permit industrial uses, distinguishing between light industry and general industry.

Light Industry

The City shall designate land use zones for light industry (i.e., industrial uses that are free of hazards and nuisances to adjoining land uses). These zones shall permit light industries, wholesale business, warehouses, offices and commercial services associated with industrial uses, and airport and harbour support services.

These zones may permit stand alone offices or commercial services that are compatible with industrial uses, and may permit schools, churches, and parish halls.

General Industry

The City shall designate land use zones for general industry. These zones shall permit major industry, heavy industry, airport and harbour-related activities, and other industrial uses that may cause nuisances to other land uses.

These zones may permit industrial uses that use or store hazardous substances, subject to a Land Use Assessment Report; light industry; commercial uses, including office buildings, provided they are compatible with industrial land uses; and churches, schools, and parish halls.

4.3.2 **Harbour Development**

The City shall maintain regular contact with the St. John's Port Authority to assess their needs, help them service industrial activity, and optimize the use of adjacent lands for appropriate industrial and commercial development. The City shall assist the Port Authority to make best use of its wharves and storage yards, including the Oceanex Terminal and the Prosser's Rock small boat basin, and permit expansion where feasible, while protecting adjacent land uses and marine navigation.

The City shall also ensure good road access from the harbour to the regional highway system, the airport, and other industrial lands.

The City shall recognize, and strive to protect and enhance, the special character of the two residential areas located on the harbour: the Battery and Fort Amherst/Southside Road.

4.3.3 **Freshwater Bay**

The City shall recognize the possible future industrial use of Freshwater Bay in accordance with the St. John's Urban Regional Plan.

4.3.4 **St. John's Airport Land Use District**

In this District, the City shall assist the Airport Authority to make best use of it facilities, subject to the Airport Environs policy of the St. John's Urban Regional Plan. The City shall ensure good access from

the airport to the regional highway system, the harbour, and other industrial lands. The City shall help ensure an attractive entrance to St. John's for travellers driving into the city from the airport.

To these ends, the City shall maintain regular contact with the St. John's International Airport Authority to assess their needs, help them service industrial activity, and optimize the use of adjacent lands for appropriate industrial and commercial development.

Airport Noise Exposure forecast Contours
The City shall work with the Airport Authority to ensure that residential land uses and other uses that may be detrimentally affected by noise are limited in accordance with the Noise Exposure Forecast (NEF) Contours shown on the General Land Use Map (**Map III-1**).

5 INSTITUTIONAL

Land Use Districts	
$	Institutional

Institutional lands contain buildings owned and used by the various levels of government and major institutions such as hospitals, churches, educational, and cultural facilities. They represent a significant element in the St. John's Land Use structure. Cooperation in use and development of these lands is important.

The Institutional District has been placed on those lands used for the administration and delivery of public services primarily by government, public, social, religious, recreation, or educational institutions. The District may also include such services provided by the private sector.

Many of these lands in St. John's are currently in transition as the roles of government and religious organizations evolve. Some schools, hospitals, and churches have closed. The primary impact of these diverse changes has been to free lands within established areas of the city for development. The reuse of such properties is frequently controversial because their use has usually been longstanding, surrounding neighbourhoods are frequently equally well-established, and the grounds of institutional properties frequently fulfill a formal or informal role as community open space.

5.1 OBJECTIVE

To recognize the importance of Institutional land holdings within the city and the need for cooperation between the various public bodies involved to ensure the best comprehensive use and development of the properties.

5.2 GENERAL POLICIES

The following policies address Institutional land uses and the potential for change to new uses where required.

5.2.1 Surplus Institutional Lands

The City shall maintain contact with the Federal and Provincial governments, and other agencies regarding the future use of surplus Institutional lands.

5.2.2 Acquisition of Former Institutional Lands

When existing public facilities, including schools, are closed, the City shall determine the need for and feasibility of acquiring such properties, or part thereof, for public recreation.

5.2.3 Preservation of Open Space and Recreation Use

Where Institutional lands such as schools or churches have traditionally provided open space or recreation uses and acquisition is determined not to be desirable or feasible, the City shall encourage the provision or open space or recreation use as part of any redevelopment of such lands.

5.3 LAND USE DISTRICT POLICIES

This Plan recognizes and accommodates the full range of institutional uses under a single Land Use District encompassing government and institutional land uses, and non-profit offices.

5.3.1 Institutional Areas

In this District, the City shall permit the following public administration and public services uses:

1. churches;
2. community residential centres;
3. cultural/recreational centres;
4. educational institutions;
5. funeral homes;
6. cemeteries;
7. hospitals;
8. libraries;
9. nursing and senior citizen homes;
10. orphanages;
11. parish halls;
12. places of assembly;
13. schools; and
14. dwelling units accessory to the above uses.

Building Height

Building heights in this District are limited to three storeys with a Floor Area Ratio of 1.0. Subject to a Land Use Assessment Report, zones may be permitted allowing building heights of up to ten storeys or a maximum Floor Area Ratio of 2.0.

6 PARKS AND RECREATION

Land Use Districts	
$	Open Space
$	C. A. Pippy Park

Parks and Recreation lands provide recreation opportunities for residents and visitors. The Parks and Recreation designation applies to lands primarily used as sports fields, softball diamonds, tennis courts, and for other active recreation activities. It also includes properties occupied by specialized recreation facilities, such as ice rinks and gymnasiums, many of which have associated lands that provide additional active or passive recreation opportunities. These parks, and the grounds associated with recreation buildings, as well as other specially designated areas such as watercourse buffers see **(Part III, Section 8)**, can provide areas for passive enjoyment in which residents and visitors can walk and sit in natural or landscaped environments.

Parks and recreation facilities are an important element of any city. They are a municipal service satisfying human needs for relaxation and competition, for quiet separation, and for social interaction. Parks contribute to the character of the city. They can define edges and they can be centres around which neighbourhood or a commercial area develops. They must be preserved in developed areas of the city and provided for in new areas as the city grows. Facilities, likewise, are usually important centres of community activity and, frequently, a source of pride.

6.1 OBJECTIVE

To provide passive and active parks and recreation facilities to meet the needs of citizens for a full range of casual recreation and sports activities.

6.2 GENERAL POLICIES

The general policies in this section set standards for open space, parks, and recreational facilities, and provide for future growth.

6.2.1 Park Requirements

The City shall maintain a park system consisting of Residential Parks, including play lots, neighbourhood parks, and district parks, and Municipal Parks and Facilities.

Quantity

The City shall maintain a minimum standard of 2.5 ha of open space that can be used by the public per 1,000 population. This standard shall include all Residential Parks, and Municipal Parks and facilities as previously defined but shall not include cemeteries, corridors, buffers, and regional parks. The City shall supply adequate park space to meet the recreational needs of it citizens.

Quality

All parks shall be suitable in terms of area, location, soils, and topography to serve the purpose for which they have been designated. The City shall locate and design parks to optimize their use and to minimize any negative effects on neighbourhing land uses. The City shall also ensure adequate access to parks for people who have physical disabilities.

6.2.2 **Park Classification**

The City shall maintain a park system based on the following classifications:

Residential Parks

Parks serving residential areas within the City defined in the following three categories:

1. Play Lots - Play areas for young children, and rest areas for older children and adults usually 0.1 to 0.2 hectares in area and 200 metres maximum walking distance from the residents they serve.

2. Neighbourhood Parks - Passive areas and active play areas for children and young teenagers usually 0.4 to 0.8 hectares in area and 800 metres maximum walking distance from the residents they serve.

3. District Parks - Passive areas and active play areas that may provide facilities for organized sports (e.g., Bannerman, Victoria, and Wishingwell Parks) usually 0.5 to 1.0 hectares in area with suitable road access.

Metropolitan Parks and Facilities

Parks and facilities serving the entire city classified as follows:

1. Metropolitan Parks (e.g., Bowring Park, Pippy Park, Quidi Vidi Lake, Signal Hill, and Cape Spear) provided in accordance with requirements of the Municipal Plan and with suitable road access.

2. Metropolitan Facilities (e.g., Mile One Stadium and the Aquarena) provided in accordance with requirements of the Municipal Plan and with suitable road access.

Park Development

All parks shall be developed to meet the requirements of their recreation function as specified in the foregoing Park classification.

6.2.3 **Pedestrian Trails and Paths**

To encourage walking for transportation and recreation, the City shall review the need and desirability of sidewalks, paths, and lanes within neighbourhoods, and walking trails to connect neighbourhoods in accordance with the plans of the Grand Concourse Authority, the East Coast Trail Association, and similar organizations involved in walkway and trails planning.

Within and between neighbourhoods, where deemed appropriate, sidewalks, paths and lanes shall provide access to and from bus stops, schools, churches, shopping areas, and places of employment. They should provide direct connection where possible, to minimize walking distances.

Bicycles shall generally be used on city streets as part of street traffic.

6.2.4 **Parks and Recreation Development**

Private lands required by the City for Parks and Recreation purposes shall be conveyed to the City for a nominal fee upon subdivision or development of such lands.

6.2.5 Cooperation to Provide Parks and Recreation Services

The City shall:

1. Promote and effect the shared use of municipal facilities and those operated by other public authorities such as the Avalon East School District;

2. Where deemed appropriate, encourage the renewal or reuse for recreation of any public facility that becomes obsolete or redundant;

3. Co-ordinate with the Province and the Government of Canada so that municipal parks and facilities complement the activities available at Pippy Park, Signal Hill National Historic Site, Cape Spear National Historic Site, and other parks;

4. Encourage the retention and use of existing privately-owned recreation facilities and open space to supplement municipal parks and facilities; and

5. Encourage the use of land use buffers and Environmentally Valuable Areas to meet passive recreation needs, particularly for pedestrian paths and trailways, provided such use does not compromise the primary purpose of these designations to protect land uses and/or the environment.

6.2.6 Development of Private Open Spaces

The City shall encourage the use of and retention of established private recreation space to supplement publicly provided Parks and Recreation Facilities.

6.3 LAND USE DISTRICT POLICIES

Parks and open spaces designated, developed, and maintained by the City to meet the recreation requirements of the community. Recreation facilities are buildings and finished park lands available for community use for the purposes of sports and social gathering. The Plan provides for each type of use within the Open Space designation.

6.3.1 Parks and Recreation Facilities

In this District, the City shall permit the following uses:

1. Parks

2. Recreation Use.

In addition, subject to Land Use Assessment Report, the City may permit the following uses:

1. Place of Assembly

2. Public Utility

3. Uses accessory to Agriculture, Forestry, and Fishing.

Building Height and Area
As determined by Council.

6.3.2 Pippy Park

The District identifies the land controlled by the C.A. Pippy Park Commission. Any development in this area will be subject to approval by the Commission.

7 HERITAGE

Land Use Districts	
$	Heritage Area (Overlay District)

St. John's has a unique position as the oldest continuos European settlement in North America, dating from 1497. The settlement began as a harbour town and development slowly grew up the hill on the north side of the harbour. Many, but not all, of our heritage buildings are located in this area, which is shown on **Map III-3**. Preserving and building on the legacy of this lengthy history is one of the key tenets of the Vision that guides this Municipal Plan. The built heritage of fine old buildings and streetscapes in St. John's contributes to the enjoyment of its residents and visitors.

As the city develops, heritage buildings should retain their original features, although their use can and must evolve over time. Heritage areas also need to accommodate appropriate new buildings and redevelopment.

7.1 OBJECTIVE

Protect heritage areas and buildings that have historic value for the benefit and enjoyment of residents and visitors.

7.2 GENERAL POLICIES

In the Heritage Area, the City shall encourage preservation, appropriate renovation, and adaptive reuse of buildings.

7.2.1 Heritage Regulations

The City shall adopt regulations to encourage the conservation and continued use of buildings that have architectural or historical significance, and to encourage the preservation of building facades and other exterior physical features of architectural or historical significance.

7.2.2 Historic Character and Compatibility

The City shall encourage the renovation of existing buildings to their original designs. The City shall ensure that renovations and new development are compatible with adjoining buildings in terms of style, scale, height, and architectural detail.

7.2.3 Ecclesiastical District

The City recognizes the heritage character of the many Christian churches and associated schools, convents, monasteries, parish buildings, and institutional buildings that form an Ecclesiastical District within the Heritage Area.

7.3 LAND USE DISTRICT POLICIES

The City shall establish the St. John's Heritage area (**Map III-3**) to identify and protect the historic built heritage of St. John's, and to ensure that building renovations and new development is in character with or complementary to older buildings.

7.3.1 Special Areas

The City may recognize special areas that are outside the Heritage Area but which merit recognition and preservation.

7.3.2 Heritage Buildings

The City shall designate buildings of historic or architectural interest as heritage buildings. These may be located within or outside of the Heritage Area. They may be unique, rare, or exceptional buildings; or they may be fine examples of common or ordinary buildings.

The exterior of a heritage building cannot be altered without the permission of Council. To help ensure that heritage buildings remain economically viable, the City, in its regulations, may permit a wider range of uses in a heritage building than normally permitted.

8 RESOURCE AND ENVIRONMENTAL AREAS

Land Use Districts

- $ Open Space
- $ Rural
- $ Agricultural
- $ Forest
- $ Watershed
- $ Restricted

Protection of natural resource areas and environmentally sensitive lands is an increasingly important aspect of land use management. For St. John's this is particularly significant. The city incorporates varied landforms including hills, cliffs, ponds, and rivers. With recent annexations, it has also taken in its own watershed areas as well as extensive rural lands that are still used for agriculture, forestry, and fishery uses.

As urbanization continues on the periphery and infill development proceeds, the City must ensure that these special areas are preserved and protected to maintain the character of the community and to protect valued environmental features such as slopes, watercourses, and wetlands. Slopes in excess of 15 percent present practical challenges and safety risks when they are build on. Reservation of wetlands and lands bordering watercourses protects the natural drainage system from pollutants and the effects of erosion. Limitation of land use within watershed areas is vital to protect water quality and protect the health of water users.

Reserved lands that protect the borders of watercourses and areas of extreme slope can also provide passive recreation opportunities, if the affected lands are judged to be capable of withstanding human use. Such reserves can also be employed to create buffers between potentially incompatible land uses where separation can obscure undesirable views and mitigate the impacts of noise and light. Whether set aside to protect the environment or to separate land uses, reserved lands provide passive recreation opportunities if their use for recreation does not disturb or compromise either the reserved land or any of the separated land uses.

8.1 OBJECTIVE

To protect the natural environment; preserve water quality; and accommodate agricultural and forestry uses.

8.2 GENERAL POLICIES

Resources lands are Environmentally Valuable Areas, by definition, are vulnerable to the impacts of development. Policies following specify required protections for such lands, and procedures through a Land Use Assessment Report and development of Conservation Plans to ensure their long-term preservation.

8.2.1 Environmentally Valuable Areas

Environmentally Valuable Areas are areas designated by the City to protect, maintain, and enhance important elements or features of the natural environment. Such Areas may include:

1. lands and waters to support natural resources (fish stocks, vegetation, woodlands, or other valuable flora and fauna);

2. ecologically vulnerable lands and waters (coastal areas, riparian lands, lakes, and swamps);

3. physically unstable lands (steep slopes, areas of high relief, and/or unstable soil, and areas susceptible to flooding);

4. aesthetically pleasing landscape features (valleys, hills, and ridges, groups of trees, bodies of water);

5. lands required for storm water management; or

6. any other lands or waters considered environmentally significant by Council.

Designating Environmentally Valuable Areas
The City shall maintain as Environmentally Areas:

1. the area shown on **Map III-4**; and

2. significant ponds and wetlands, significant tributaries of the Rennies River, Waterford River, Virginia River, Outer Cove River Systems, Leamy's Brook, and significant waterways, and their significant tributaries flowing into Fourth, Third, and Second Ponds, and significant waterways flowing into Conception Bay.

8.2.2 Land Use Assessment Report
Any development in an Environmentally Valuable Area shall be subject to a Land Use Assessment Report, and a subsequent Conservation Plan to ensure appropriate development and control of any negative impacts the development may have.

8.2.3 Conservation Plan
Means a plan that identifies the environmental impacts of a development as established by a Land Use Assessment Report, and describes the requirements under which the development can proceed.

8.2.4 Lands Adjoining Bodies of Water and Flood Hazard Areas
Land within a 15-metre buffer of the 100-year high water mark of ponds, wetlands, rivers, or major tributaries of rivers designated under this Plan (see **Part III, Section 8.2.1**) shall not normally be developed. Nor shall any lands within Flood Hazard Areas or any Flood Risk Areas, as identified by the Department of Environment, normally be developed. Council may, however, permit certain types of development to occur within the 15-metre buffer of the 100-year high water mark of designated bodies of water, provided the impact and/or extent of such development is determined by Council to be minimal.

8.2.5 Buffers
Buffers are open spaces designated by the City to shape and guide urban development, separate incompatible uses, and reduce the impact of land uses incompatible with the residential environment.

Private Buffers
Where needed, buffers shall be incorporated in the private development of lands by requiring one or more of the following:

1. additional lot depth as part of subdivision design;

2. landscaped open areas; and

3. screens for visual control and solid structures for noise control.

Walkway and Trail Buffers
Buffers provided for the accommodation and protection of planned walkways and trails.

Highway Buffers
Public highway buffers within the highway right-of-way to mitigate the visual and noise impacts of traffic shall be used for major arterials.

Residential-Commercial Buffers
Buffer requirements between residential areas and commercial developments, including off-street parking areas, shall preferably be met with on-site landscaping and screening requirements to be contained in the Development Regulations, rather than through the use of public lands.

Residential-Industrial Buffers
Buffer requirements between residential areas and industrial developments shall be met in the same manner as those for commercial use, except where a major industrial complex adjoins a residential area, in which case a public buffer may be more appropriate.

Other Buffers
Buffers may be required between other uses as necessary to mitigate undesirable impacts. In particular, buffers may be required between golf courses and similar recreation uses and residential uses to reduce the potential for balls to damage property or injure persons. Such buffers shall be provided on development of the second land use and shall be provided from the property of the second development as required to reduce risk to levels deemed acceptable by the City.

8.2.6 Passive Recreation Uses in Environmentally Valuable Areas
Passive recreation uses, particularly recreation and pedestrian paths, may be located in Environmentally Valuable Areas where such uses and related activities do not compromise the objective of environmental protection.

8.2.7 Natural Resource Areas
The City shall manage development in areas with productive natural resources (i.e., agricultural, forest, watershed, and mineral) to minimize the impacts on the natural environment and to preserve the scenic quality of the rural landscape.

8.3 LAND USE DISTRICT POLICIES

Open space areas are provided to address the following roles:

Single Resource Areas

Manage and control the use of single resource areas, such as those lands designated for Agriculture, Forestry Production, Watershed Protection, and Public Open Space in the Regional Plan.

Environmentally Valuable Areas

Manage and control the use of environmentally sensitive and valuable areas, such as the Restricted Development and the Public Open Space areas designated in the Regional Plan, and the bodies of water and the Environmentally Valuable Areas designated in this Plan to protect ecologically valuable areas, areas of physical instability, and protect watercourses, and control flooding and its consequences.

8.3.1 Watershed

Watersheds shall be generally protected from development.

Permitted Zones

The Watershed District applies to those lands that are either used as a watershed for the protection of an existing public water supply or to those lands that are deemed to have potential for future water supply use under the St. John's Urban Region Regional Plan - Watershed Policy Map:

1. Windsor Lake
2. Petty Harbour Long Pond
3. Bay Bulls Big Pond.

In this District the City shall only permit zones to allow agricultural uses, forestry uses, and public utilities.

Land Use Assessment Report

Any development within the Watershed Land Use District, except for a legal non-conforming development, shall be subject to a Land Use Assessment Report.

8.3.2 Agriculture

The Agricultural District applies to those lands that are considered to have potential for agriculture. Designated areas have been identified in accordance with the Department of Forest Resources and Agrifoods Agricultural Development Area Guidelines. Development requirements shall be in accordance with standards set by the Department of Forest Resources and Agrifoods.

8.3.3 Forestry

The Forest District applies to those Crown Lands that are considered to have potential for forestry operations. Designated areas have been identified in accordance with the Department of Forest Resources and Agrifoods guidelines. Development requirements shall be in accordance with standards set by the Department of Forest Resources and Agrifoods and may be subject to a Land Use Assessment Report.

8.3.4 Environmentally Valuable Areas

In Environmentally Valuable Areas the City shall only permit the preservation and conservation of the natural environment; and lands used for forestry, agriculture, and the fisheries that maintain valued community characteristics.

Buildings

No buildings or structures are to be permitted except those incidental and/or accessory to uses permitted in the District, and structures required for erosion and flood control.

8.3.5 Restricted Development

The Restricted Development District applies to those lands having inherent environmental hazards such as steep slopes, unstable soils, poor drainage, flood susceptibility, or similar physical conditions that make them unsuitable for urban development. Lands so designated are to be managed in such a fashion as to complement adjacent land uses and protect them from any physical hazards or their effects.

Buildings

No buildings or structures are to be permitted except those incidental and/or accessory to uses permitted in the District, and structures required for erosion and flood control.

IV PLANNING AREA DEVELOPMENT PLANS

Part IV addresses and includes policies that apply to sub-areas of the City through Planning Area Development Plans (PADPs). At the approval of this revised Municipal Plan, PADPs are in place for six Planning Areas within the City of St. John's.

PADPs take precedence over City-wide Policies in the Planning Area they cover. In areas with PADPs, City-wide Policies are, nevertheless, relevant as the context in which local policies are to be developed.

Under the policies of this section, PADPs may be revised, and additional PADPs may be developed and adopted for other Planning Areas and other areas defined as Council may see fit to address the objectives and policies of this Municipal Plan.

Part IV of the Municipal Plan addresses local planning within the City of St. John's. The general policies of the Municipal Plan can be translated into detailed neighbourhood land use plans in the form of Planning Area Development Plans (PADPs). PADPs will normally be developed for Planning Areas defined in **Part I** of the Plan. To date PADPs have been formulated and adopted as follows:

1. Planning Area 1 - Downtown
2. Planning Area 2 - East End, Battery, Quidi Vidi Village
3. Planning Area 4 - Mundy Pond
4. Planning Area 9 - South West Expansion Area
5. Planning Area 12 - C.A. Pippy Park Master Plan
6. Planning Area 13 - Freshwater Bay Industrial Lands
7. Planning Area 16 - Goulds
8. Planning Area 17 - Blackhead

These PADPs are incorporated in this Part of the Municipal Plan as Sections 2 through 7.

The City is divided into a number of Planning Areas. These areas have been defined to encompass recognizable neighbourhoods and generally conform to Census Subdivisions and Enumeration Areas used by Statistics Canada. **Map IV-1** identifies all designated Planning Areas, highlighting the Planning Areas to which Planning Area Development Plans apply.

The boundaries of Planning Areas may, however, be changed or other areas may be defined for the purpose of developing a PADP. Such alterations of boundaries and definitions of alternative areas shall be at the discretion of St. John's City Council guided by the objectives and policies of this Municipal Plan. Planning Areas should at a minimum, however, encompass a neighbourhood or a commercial or industrial area, as opposed to a specific property or development site.

Not all Planning Areas are expected to be the subject of a PADP. Most Planning Areas have stable land use patterns and do not face major development or redevelopment issues. PADPs will be undertaken where Council determines such detailed attention is required.

PADPs are to be developed and adopted within the framework set out in **Section 1** following. This framework is intended to be flexible. The specific approach for developing a PADP must be open and accessible to all interested citizens. The means by which participation is achieved and considered may vary according to the situation recognizing that areas subject to a PADP process will vary in area, population, and the complexity of the issues to be addressed.

Notwithstanding the intention to allow varied approaches and solutions suited to individual areas of the City, PADPs are to be policy documents. They should provide general direction for the development of the area they address. Like this Municipal Plan, a PADP shall not include specific requirements for or limitations on development. Policies can and should address the type and form of development appropriate to a Planning Area but quantitative limits, except where broadly applicable, shall be incorporated in the Development Regulations.

1 GENERAL

Planning Area Development Plans are Land Use Plans for Planning Areas developed to assist effective implementation of the Plan and Development Regulations at the local level. Planning Area Development Plans also provide a means by which general policies can be evaluated and the Municipal Plan amended where appropriate.

1.1 OBJECTIVE

To provide a flexible framework for developing PADPs in consultation with all interested citizens.

1.2 POLICIES

Policies to guide the creation and adoption of PADPs set out a structure for administration of the PADP process and its subsequent adoption and review.

1.2.1 Advisory Committees

Council may appoint a Planning Area Advisory Committee, where required, to obtain direct input regarding what area residents value about their area and how they wish to see it develop.

1.2.2 Public Participation Program

A Planning Area Advisory Committee formed to prepare a PADP shall develop a program for public consultation as an initial step in developing a PADP. Such a program may employ any accepted means of obtaining public opinion including but not exclusive to public meetings, workshops, focus groups, and public opinion surveys.

1.2.3 Council Approval

Any public consultation program for developing a PADP shall be subject to approval by Council, which shall have regard to the balance and fairness of the consultation proposed, as well as for the costs in terms of money and City staff resources that may be incurred by the City for appropriate implementation.

1.2.4 Approval of Planning Area Development Plans

Planning Area Development Plans shall be adopted under the Municipal Plan, and shall be incorporated in this **Part IV** on approval of Council. As approved, PADPs shall form the basis for detailed zoning.

1.2.5 Review of Planning Area Development Plans

All PADPs shall be reviewed as part of the statutory review of the Municipal Plan.

2 DOWNTOWN

The Downtown core of St. John's is bounded as illustrated in **Map III-1**. Downtown St. John's is the heart of the City of St. John's and the St. John's Urban Region. The Downtown is home to the bulk of the City's heritage buildings. Its skyline and views of St. John's Harbour and the Battery define the image of St. John's to tourists.

From the end of World War II to well into the 1970s, Downtown St. John's was challenged by the suburbanization of housing and shopping facilities in the region. In the past 20 years, however, the Downtown has been re-established as the home to a range of activities, including residential neighbourhoods, shopping areas, cultural and entertainment facilities, and administrative and institutional uses. In many ways, the Downtown is a model of mixed use combining single family housing with row housing and apartment uses with supporting commercial and service uses. It is also a key regional shopping centre providing specialized retail uses catering to general, tourist, and niche markets.

In recent years, the Downtown has particularly emerged as a centre of entertainment activities. The many pubs on George Street and adjacent alleys are known across Canada. With the addition of Mile One Stadium the Downtown now regularly hosts large-scale sporting and entertainment events.

2.1 OBJECTIVES

To ensure a comprehensive and balanced development of the Downtown that provides a dynamic focus for a wide variety of activities within a harmonious physical setting through pursuit of the following land use objectives.

2.1.1 Preserve Residential Neighbourhoods

To preserve residential neighbourhoods in residential areas through:

1. conservation and rehabilitation of existing homes in these areas; and

2. where necessary and feasible, redevelopment of older housing in a manner sensitive to the architectural scale and historic character of the older city.

2.1.2 Improve Retail Function

To enhance retail function by:

1. redefining and concentrating retail function;

2. improvement of access and circulation;

3. provision of adequate and convenient parking;

4. promotion of pedestrian links;

5. improvement of marketing through better management of retail services; and

6. provision of continuous business promotion.

2.1.3 Accommodate Office Space

To accommodate office space by:

1. identifying areas in the Downtown that are suitable for office development in terms of access and municipal services;

2. allowing for a range of accommodation in terms of size, type and rental structure;

3. introducing policies that will promote the use of available buildings through conversion, as well as the construction of new buildings; and

4. recommending improvements in access and parking requirements that will have to be made in connection with office area.

2.1.4 Optimize Harbour/Industrial Uses

To optimize use of industrial lands adjoining the Harbour for marine-related uses, and to facilitate the establishment of semi-industrial services and small 'clean' industries in appropriate commercial zones.

2.1.5 Promote Religious, Public Assembly, Tourism and Recreation Uses

To optimize the location and operation of religious, public assembly, tourism, and recreation uses through:

1. the development of an attractive urban environment that will emphasize the importance of the City's heritage and preserve the existing amenities and views of the Harbour and Southside Hills from streets and open spaces;

2. the preservation of an environment that will enable Downtown churches to carry on their religious and social functions; and

3. the development of adequate convention, assembly, recreation and tourism facilities in the Downtown.

2.1.6 Protect the Architectural Scale of Downtown

Protecting the architectural scale of Downtown by maintaining and developing the St. John's Heritage Area and ensuring harmonious integration of new development.

2.1.7 Provide Adequate Transportation Facilities

Achieve an adequate level of access, circulation and parking to maintain each of the main land use functions in the Downtown Area.

2.2 POLICIES

For the purpose of this Plan, the major land use functions are defined as follows:

Housing
A high density residential area, accommodating a changing population of varying income levels in a range of housing types.

Retail
Major retail and services including regional specialty shops, convenience shopping for local community.

Office
Major office buildings for financial, legal and professional services, head offices of major companies.

Industry
Harbour support services, capital and labour-intensive manufacture not requiring bulk supplies.

Harbour
All harbour functions, warehousing and shipping facilities.

Public Assembly, Recreation and Tourism
The most important area for experiencing the historic legacy of the Province;

An important concentration of amenity areas and religious, assembly, recreation and education facilities for residents and tourists alike;

Major site for high density tourist accommodations and convention facilities.

Transportation
The network of streets facilitating access and circulation.

2.2.1 Improve Retail

The City shall:

1. Plan for a concentrated retail core facilitating the renewal and improvement of downtown retail by means of :

    a) consolidation of retail in a fairly compact, accessible area that makes the redevelopment and improvement of supporting services possible;

    b) conservation and rehabilitation of buildings in that part of the retail area situated in the St. John's Heritage Area (see **Map III-4**); and

    c) development of new facilities to support the retail function as deemed appropriate by Council;

2. assist in improvement of the Downtown retail core by means of a Business Improvement Area and promote its use for the renewal and rehabilitation of the Downtown core and the provision of off-street parking;

3. promote the provision of a co-ordinated marketing system f Downtown;

4. assist in attracting opportunities for renewal of the Retail Core; and

5. assist in the promotion of the Downtown in general.

2.2.2 Accommodate Office Space

The City shall:

1. provide opportunities for a wide range of office accommodation in terms of size, type and tenure;

2. promote the construction of new high density buildings in designated areas of the western part of Downtown. This is the best area for such developments in terms of:

   a) topography and the availability of developable sites;

   b) potential for the improvement and upgrading of public services;

   c) location in respect to the Retail Core; and

   d) the degree of impact on other land uses and the historical character of the City; and

3. promote the use of smaller offices or mixed-use buildings by means of rehabilitation or renewal.

2.2.3 Maximize Harbour-related Lands

The City shall work with the St. John's Port Authority to maximize the amount of land available for harbour-related uses.

2.2.4 Preserve Residential Neighbourhoods

The City shall encourage:

1. designation of residential zones allowing for a variety of housing types that are compatible with the existing architectural scale and the existing infrastructure;

2. improvement of amenities (open space, recreation facilities and general quality of the urban environment) and services (off-street parking);

3. conservation and rehabilitation of the housing stock where this is both desirable and feasible;

4. and promotion of infilling and the renewal of housing that cannot be rehabilitated economically in a manner sensitive to the historic and architectural environment.

2.2.5 Protect the Architectural Scale of Downtown

The City shall maintain and develop the St. John's Heritage Area (as identified in **Part III, Section 7**) as the historic architectural focus of the City and ensure harmonious development of the Downtown by:

1. adopting regulations to:

    a) protect significant public views from streets and open spaces;

    b) control blockage of sunlight in streets and public open spaces;

    c) control the density, height and siting of buildings;

    d) control the relationship of buildings to streets and open spaces;

2. providing guidelines for improving the design of buildings, streets, and open spaces to provide greater convenience and enjoyment to the public.

2.2.6 Provide Adequate Transportation Facilities

The City shall:

1. encourage the use of public transit through improved service; and

2. exercise strict control of street parking and provide adequate off-street parking.

2.2.7 Public Parks

Downtown parks are important components in retaining and enhancing the character of old St. John's. The City shall promote public parks in the Downtown so as to:

1. improve pedestrian circulation;

2. encourage activity near commercial areas and places of public interest;

3. enhance design; and

4. increase public well-being and enjoyment.

To protect these spaces from development and ensure that they are properly landscaped and maintained, they are designated as Open Space on the General Land Use Map (**Map III-1**), and shall be landscaped and maintained by the City's Public Works and Parks Department.

2.2.8 **Downtown Roads**

The City shall preserve the existing Downtown street pattern, including current street widths, to maintain the scale and character of the Downtown.

2.2.9 **Pedestrian Paths**

Paths - General

Pedestrian circulation is essential to the social and economic health of the Downtown, in particular the social vitality of public and recreation spaces and the commercial viability of retail areas. It is also vital to the livability of the Residential Downtown.

Pedestrian paths serve two major objectives:

1. they provide convenient linkages between dwellings, shopping areas, places of work and leisure areas for residents and patrons of Downtown; and

2. they provide 'discovery routes' to expose places of interest to tourists and to provide amenities for leisure pursuits of visitors to the Downtown.

Laneways - Development

The City will maintain and promote existing pedestrian laneways and paths in the Downtown.

2.2.10 **Parking**

Downtown Parking Exempt Area

No off-street parking shall be required in the area shown on **Map IV-2** except for developments that will involve:

1. the extension of an existing building; or

2. the construction of a new building in excess of a Floor Area Ratio of 3.0.

3. The reasons for establishment of this Exempt Area are:

    a) the provision of onsite private parking would destroy the existing streetscapes and would generate more traffic than would be desirable for older portions of the Downtown;

    b) the provision of onsite private parking would not be a practical or feasible for most of the existing buildings in the Downtown, thereby impeding the upgrading and renovation of existing building stock;

    c) the development of a few conveniently-located communal or public parking facilities would be the best way in which parking could be provided within the policies of the Plan.

3 PLANNING AREA 2 - EAST END, BATTERY, QUIDI VIDI VILLAGE

3.1 OBJECTIVES

The objectives of this Planning Area Development Plan are to preserve and enhance:

1. Landmarks, heritage buildings, historic landscapes, natural features, and recreation facilities;

2. Views of Signal Hill and Quidi Vidi Lake;

3. Residential neighbourhoods.

3.2 POLICIES

The basic intent of this PADP is to prevent change markedly at variance with existing dwelling types in residential neighbourhoods - for example, if there is a mixture of two and three-storey single detached and semi-detached dwelling types on large lots in a neighbourhood, then only dwellings of this nature and scale on large lots will normally be considered for approval; and if the predominant housing form is the bungalow or cottage, then only dwellings fitting with this scale of housing will normally be considered for approval.

Neighbourhood policies are set out for the East End - Sub-Areas 1 to 9, the Battery, and Quidi Vidi Village - the three "communities" that, together with the commercial districts and Signal Hill and the foreshore of Quidi Vidi Lake, comprise Planning Area 2.

The East End, the Battery and Quidi Vidi neighbourhoods and the nine sub-areas of the East End neighbourhood are set out on **Map IV-3** and are as follows:

Sub-Area 1 - Forest Road - East of Quidi Vidi Road to Quidi Vidi Village
Except for existing apartment house and row house sites, only single detached and semi-detached dwellings may be considered for approval in this area (i.e., Municipal Plan Land Use District - Residential Low Density)

A public reservation is retained to provide for a linkage between Quidi Vidi Lake and Signal Hill National Historic Park.

Sub-Area 2 - Quidi Vidi Road
Only row house, single detached and semi-detached dwellings may be approved in this area (Municipal Plan Land Use District - Residential Medium Density).

Sub-Area 3 - Forest Road - Empire Avenue to Quidi Vidi Road
Only single detached dwellings may be permitted in this area (i.e., Municipal Plan Land Use District - Residential Low Density).

Sub-Area 4 - Forest Road - Empire Avenue - King's Bridge Road
Only single detached dwellings may be permitted in this area (i.e., Municipal Plan Land Use District - Residential Low Density).

Sub-Area 5 - Empire Avenue - King's Bridge Road - Lake Avenue - Anglican Cemetery
Only single detached dwellings may be approved in this area (i.e., Municipal Plan Land Use District - Residential Low Density).

Sub-Area 6 - Circular Road - Empire Avenue
Only single detached dwellings may be approved in this area (i.e., Municipal Plan Land Use District - Residential Low Density).

Sub-Area 7 - King's Bridge Road - Circular Road - Government House Grounds - Military Road
The permitted uses in this area shall be single detached dwellings. Professional offices, semi-detached dwellings, row house dwellings retaining and enhancing present building and landscaping elements may be considered for approval, provided that the maximum height does not exceed three storeys (i.e., Municipal Plan Land Use District - Residential Low Density).

Sub-Area 8 - Upper Rennie's Mill Road - Circular Road West (Monkstown and Riverview)
The permitted use in this area shall be single detached dwellings (i.e., Municipal Plan Land Use District - Residential Low Density).

Sub-Area 9 - Lower Rennie's Mill Road and Rennie's Mill Road
The permitted use in this area shall be single detached dwellings, semi-detached dwellings and townhouses. Conversions of existing dwellings into apartments, bed and breakfasts or boarding homes may be considered for approval (i.e., Municipal Plan Land Use District - Residential Low Density).

3.2.1 The Battery Neighbourhood

1. Single detached, semi-detached and infill housing residential development shall be permitted on fully serviced lots.

2. New buildings in this neighbourhood, regardless of the zone and use, shall visually harmonize with the natural and built environment of the Battery.

3. A portion of the Outer Battery between the Outer Battery Road and the Harbour shall be protected and developed for purposes of the inshore fishery, and may also, where buildings are within 6 m of the Road, be developed for dwellings and craft type businesses.

   Due to difficulties in locating boundaries, the Land Use District shall be Residential Medium Density with, in this instance, the provision that uses mentioned in the preceding paragraph may be permitted.

   The recommended zoning is a zone created to reflect the variety of uses that may be permitted in the Outer Battery.

3.2.2 Quidi Vidi Village

The general policy is to protect the basic character of historic Quidi Vidi Village and surrounding scenic and historic sites without jeopardizing reasonable opportunities for development. To this end, the

developed part of the Historic Village around the Gut shall be developed so as to retain uses and densities of uses that presently characterize the area.

1. Within the residential historic Village single detached, semi-detached, and row house dwellings may be allowed along with custom workshops.

2. In the harbourside area, harbour, and food and beverage industrial uses, commercial and office uses accessory to these industrial uses, and restaurants may be permitted on condition that such uses be scaled in a manner consistent with the character and scale of the historic village.

3. Lands at the eastern extremity of Quidi Vidi Lake are retained as public open space to protect an historical site and an important part of the Quidi Vidi - Rennie's River trail and park system.

4. A road may be developed through this area provided:

$ the need for such a road is re-established;

$ a Land Use Assessment Report and an Environmental Analysis Report has been carried out;

$ the road is visually subordinate to the site's natural features.

5. Open Space Areas are set out to achieve:

Preservation of Open Space
The preservation of the scenic setting of the Village by reserving all surrounding hills as Open Space, particularly the coastal hills and the foreshore of all nearby ponds and lakes, the linkage between Quidi Vidi Lake and Signal Hill National Historic Park, and the East Coast Trail between Robin Hood Bay and the Village;

Preservation and Development of Historic Sites
The preservation and development of historic sites and providing them with a suitable setting by retaining the surrounding natural landscape and linking them where possible by landscaped corridors, so that "historic trails" can be developed;

Preservation and Control of Recreation Facilities
The preservation and development of some recreation space for Village use; an open space that has a regional importance as a recreation or amenity centre (the Lake surface and the shores of Quidi Vidi Lake within 60 m of the high water mark represent such a resource); and Open Spaces that are not specifically required as active Open Space but which are not easily developable as a result of topographic conditions and should be preserved as Open Space to separate the old Village from new urban development and thereby accentuate it.

3.2.3 East Coast Trail

The City shall work with the East Coast Trail Association to preserve, protect, and buffer portions of the East Coast Trail passing through Planning Area 2.

4 PLANNING AREA 4 - MUNDY POND

Planning Area 4 **(Map IV-1)** is a prime area for intensification of land use within the urbanized portion of the City of St. John's. This PADP seeks to integrate new development with established areas with particular attention to the protection of existing neighbourhoods. As demand warrants and major trunk services become available, additional lands in Mundy Pond west of Columbus Drive ('Mundy Pond West') shall be developed in a planned manner.

4.1 OBJECTIVE

To encourage the consolidation of development through infill of City residential lands, concentration of major commercial development within Ropewalk Lane area around present developments, further upgrading of existing recreation open space areas, and concentration of institutional uses in the immediate vicinity of Mundy Pond.

4.2 POLICIES

Policies for Planning Area 4 seek to protect existing low density areas while providing for the development of higher density uses in appropriate locations. Policies also address the provision of open space and facilitation of circulation within the area on foot and for vehicles.

4.2.1 Residential Low Density

Throughout the Planning Area, areas containing a preponderance of single detached housing shall be designated Residential Low Density and placed in a zone where only single detached housing may be permitted.

4.2.2 Residential Medium and High Density

Multi-family housing shall be concentrated along Blackmarsh Road, and the lands shall be designated Residential Medium Density and Residential Low Density.

4.2.3 Open Space - Environmentally Valuable Areas and Recreation Areas

Portions of the Planning Area are to be protected from development that is likely to increase runoff and pollution and destroy natural vegetation. Lands deemed appropriate for environmentally valuable areas, and lands required as major buffers shall be designated as Open Space. These areas would include Mundy Pond and the streams and wetlands associated with the Mundy Pond watershed.

Certain types of development may be permitted if appropriate to a conservation and recreation function provided appropriate mitigation measures are undertaken. ***(2006-02-10)***

4.2.4 Pedestrian Circulation

Because of the location of dwellings, schools and shops, there are many uncontrolled crossings by children and adults on Columbus Drive. To make pedestrian movement across Columbus Drive safer the City shall:

1. Establish appropriate means to prevent crossings at uncontrolled locations.

2. Review pedestrian movements in the area to develop safer and more convenient crossings where required.

4.2.5 Vehicular Circulation

To facilitate and make safer traffic movements along Columbus Drive the City shall reduce the number of intersections with Columbus Drive and provide for suitable turning or exit lanes, especially at Mundy Pond Road and Blackmarsh Road.

4.2.6 Road Network West of Columbus Drive

A road network shall be developed that will link Old Pennywell Road to Hamlyn Road and Topsail Road, and provide for a system of internal linkages that will facilitate the development of residential lands and facilitate access to community and commercial services within that part of Mundy Pond that lies west of Columbus Drive.

4.2.7 Mundy Pond Park

Develop Mundy Pond as a District Park that becomes a true focal point of the area (attractive, well landscaped, well endowed with facilities, and well used); and provides opportunities for fishing, hiking, cycling, skiing, skating and softball.

4.2.8 Linear Open Space System

Develop the linear park system linking Mundy Pond with its watershed and through the watershed to the Kenmount Hills, and the Kenmount-Rennie's River and the Waterford River systems.

5 PLANNING AREA 9 - SOUTH WEST EXPANSION AREA

The South West Expansion Area, which makes up the majority of Planning Area 9, includes lands along both sides of Kenmount Road and Thorburn Road (north to the Outer Ring Road), and the lands between Kenmount Road and Thorburn Road. The area runs from Parrell's Lane and the Bifurcation Road to the Windsor Lake Watershed.

5.1 OBJECTIVES

As a result of the extension of municipal water and sewer services in 2002 along Kenmount Road, properties which are located along Kenmount Road and Thorburn Road and those properties located between these two roads, can now be considered for urban development. The South West Expansion Area provides an opportunity to serve as a major growth area for well-planned urban development within the centre of the St. John's Urban Region. Development of the South West Expansion Area will further the objectives of the St. John's Urban Region Regional Plan and the St. John's Municipal Plan by allowing opportunities for residential and commercial development within a defined urban area.

5.2 POLICIES

Policies for the South West Expansion Area are intended to facilitate its development as a complete community. Policies are intended to preserve and protect the natural environment and ensure a full range of land uses, including commercial and institutional uses that complement and serve predominantly low density residential development within the area. **Map IV-3** sets out the Municipal Plan land use district designations for the South West Expansion Area, the access points for future development of lands north of Kenmount Road and the conceptual internal road network. Land use zoning designations will be put in place to reflect and implement this Development Plan.

5.2.1 Residential Development

To satisfy anticipated demand for a long-term residential land supply in this area of the City, a significant portion of the South West Expansion Area will be designated for low density residential development. To foster municipal servicing efficiency for municipal snowclearing and garbage collection services, isolated pockets of residential development will be discouraged.

Other forms of housing other than single detached homes may be considered for the South West Expansion Area, subject to specific application to and approval by the City.

5.2.2 Commercial Development

The prominence of Kenmount Road as a major commercial and light industrial area of the St. John's Urban Region will be reinforced and enhanced through the expansion of the Kenmount commercial area along Kenmount Road and west of O'Leary Industrial Park. The commercial designation will extend as far as the City's municipal boundary with the City of Mount Pearl near Avalon Ford on Kenmount Road at Wyatt Boulevard.

To provide clear separation between commercial and residential uses, significant open space buffers have been established between areas designated for residential and commercial uses.

Provision has been made in the land use designation for this Development Plan to designate several sites for local neighbourhood commercial facilities.

5.2.3 Public Uses

As part of this Development Plan, a site has been reserved in a central location in the South West Expansion Area for the construction of a school(s). If the Avalon East School Board ultimately determines that a new school(s) will not be required to serve the residents of the South West Expansion Area, then the site may be redeveloped for another purpose under the "Institutional" designations of the Municipal Plan and the St. John's Development Regulations. Alternatively, an interested developer may make application to have the site redesignated and this application would be subject to review by the City.

5.2.4 Servicing Limits

The upper limit for urban development in the South West Expansion Area will be the 190 metre contour limit. This limit is in conformity with the St. John's Urban Region Regional Plan which allows "Urban Development" in that part of the South West Expansion Area which falls below the 190 metre contour limit.

Lands that are located in the South West Expansion Area above the 190 metre contour limit will be designated as "Rural" under the General Land Use Plan and the St. John's Development Regulations, and may be considered for non-urban forms of development under the applicable provisions of the Municipal Plan and the St. John's Development Regulations.

5.2.5 Thorburn Road

Lands on both sides of Thorburn Road will continue to be zones for non-urban forms of development for the present time. However, as the area has the capability to be developed utilizing municipal water and sewer services, the City may consider developments for urban forms of development at a later time in which case urban forms of zoning could be introduced subject to review and approval by Council and subject to the extension of municipal services under conditions required by the City.

5.2.6 Access and Circulation

Access points for development of lands in the South West Expansion Area will be set by the City along Kenmount Road and Thorburn Road. These access points will require bridges to cross Ken Brook. Temporary access points along Kenmount Road may be considered subject to approval by the City for the purposes of accommodating initial development in the area. These temporary access points would eventually be required to be removed and the access points remediated subject to requirements of the City.

The road network prepared by the City as part of this Development Plan is designed to limit stream crossings, to provide acceptable access to commercial sites and to limit the amount of non-resident through traffic in the residential areas, while linking internal residential neighbourhoods. The right-of-way widths for collector roads in the South West Expansion Area have been increased to allow for greater setbacks for snowclearing operations and appropriate pedestrian movement.

The internal road network prepared by the City for the South West Expansion Area is conceptual only and may be varied as development of the area progresses without necessity for formal amendment of this Development Plan, subject to approval of the City and provided the basic principles of the road network are adhered to.

5.2.7 Recreational Uses

A site has been set aside for a neighbourhood park in a centrally-located area within the South West Expansion Area.

Neighbourhood Parks

Local neighbourhood recreational sites will be provided within residential clusters as residential development proceeds. Individual sites will be selected by the City's Parks Services Division as development progresses and when demand is warranted for the provision of local facilities.

Development Above 190 m Contour

Recreational development may be considered for approval above the 190 metre contour servicing limit subject to application to and approval by the City.

Trails System

Where appropriate and feasible, walking trails will be constructed to link individual areas within the South West Expansion Area to each other and to other trail systems outside the area.

5.2.8 Environmentally Sensitive Areas

The South West Expansion Area contains most of the headwaters of the Rennie's River system. Ken Brook runs along side Kenmount Road and there are wetlands in the area, including the Yellow Marsh. These flow towards Leary's Brook and the Rennie's River system.

To accurately determine the extent of waterways and wetlands in the South West Expansion Area and in the interest of conserving and protecting such areas, the City engaged an environmental consultant to map these waterways and wetlands. These identified areas will be protected through applicable "Open Space" designations under the General Land Use Plan of the Municipal Plan and the St. John's Development Regulations and buffers shall be designated around the waterways and wetlands.

Development in the vicinity of significant waterways and wetlands shall be subject to the applicable provisions of the Municipal Plan and the St. John's Development Regulations.

6 PLANNING AREA 13 - FRESHWATER BAY INDUSTRIAL LANDS

The Plan is required in the ministerial order amending the St. John's Urban Region Regional Plan Gazetted August 7, 1987, for the area on **Map IV-5** which is part of Planning Area 13. The area in question is situated on Freshwater Bay and includes lands to be used by Freshwater Offshore Base Limited on Freshwater Bay and between Freshwater Bay and Blackhead Road. The Regional Plan designation of the area in question is "Major Industrial".

6.1 OBJECTIVES

The objectives of the Planning Area Development Plan are to:

1. accommodate within the Plan area, an industrial park with a potential for eventual development of breakwater and docking facilities, capable of handling offshore oil related vessels, should it prove warranted by the developers;

2. protect significant natural features and Environmentally Valuable Areas within the Area;

3. reasonably accommodate other development without unnecessary prejudice to the Freshwater Bay Offshore Base Limited development;

4. provide a regulatory mechanism that will ensure the foregoing objectives are met to the satisfaction of Council.

6.2 POLICIES

Policies for Planning Area 13 require the development of Freshwater Bay through a Planned Unit Development (PUD) process with due regard for protection of the environment and impacts on the development potential of adjacent planning areas.

6.2.1 Planned Unit Development

Development in Planning Area 13 shall comply with the following requirements:

1. No permit shall be issued for any development until a PUD Plan has been approved by Council, and a Development Agreement has been entered into by Council and the Developer in accordance with the requirements of the Development Regulations.

2. The PUD Plan shall comply with the other provisions of this Plan.

3. The PUD Plan shall contain an Environmental Protection Plan under the approved Environmental Impact Statement.

4. The PUD Plan shall, where appropriate, recognize and accommodate developed and planned portions of the East Coast Trail not only preserving routes and corridors but ensuring visual buffering from urban and industrial uses.

5. Except for the breakwater and docks and other areas where no reclamation, landscaping, impact mitigation, or site restoration is necessary, and excluding works for which the City Engineer has required a deposit, Council shall require the deposit of 10 percent of the value of the proposed work by phase of project to ensure that the proper landscaping, impact mitigation, and site restoration measures are carried out.

6.2.2 East Coast Trail

The City shall work with the East Coast Trail Association to preserve, protect, and buffer portions of the East Coast Trail passing through Planning Area 13.

6.2.3 Leamy's Brook

No development shall be permitted within at least 15 m of Leamy's Brook, except for a low impact pedestrian bridge to be built as part of the East Coast Trail.

6.2.4 Approved Environmental Impact Assessment

In addition to any other plans or regulations, no development shall be permitted unless it complies with the approved Freshwater Bay Offshore Base Environmental Impact Statement.

6.2.5 Environmental Protection Plan

Prior to initiation of construction in this area, the developer shall adopt an Environmental Protection Plan for use by contractors and tenants working on the project. The Plan will provide environmentally sound guidelines for the execution of various construction and operating procedures to be employed while on the development site. The Plan will provide procedures for handling hazardous materials and wastes and describe special monitoring as required.

As required by regulation, the Contingency Plan will be prepared as a separate document to deal with incident-specific emergencies.

6.2.6 Coordination with Other Developments

No development shall be permitted to occur within the Plan Area in such a manner as to exclude allowable and reasonable opportunities for development of properties adjoining this Plan Area.

7 PLANNING AREA 16 - GOULDS

Planning Area 16 encompasses the former Town of the Goulds, which was incorporated in the City of St. John's through amalgamation in 1992. The boundaries of the Goulds Planning Area are shown on **Map IV-4**. Apart from a small extension of the western boundary up to the Goulds Bypass Road, the area is the same as that of the former Municipality of Goulds.

7.1 OBJECTIVES

The general development objective for the Goulds Planning Area is to maintain a community that includes both urban and rural development values as manifested in:

1. a well-defined urban core with full municipal services that is capable of being expanded gradually, to include the designated Urban Expansion areas;

2. a residential rural area where people can enjoy a rural lifestyle based on large rural lot development with private services;

3. a rich natural environment maintained and developed for use and enjoyment of all residents; and

4. opportunities for agricultural development in a way that respects nearby residential development.

7.2 POLICIES

Policies for Planning Area 16 are intended to focus development in the Urban Core of the Goulds where the City intends to upgrade existing municipal water and sewer systems. Extension of services outside the Core, in the Urban Expansion District will only be undertaken by the City at such time as deficiencies in the Core have been dealt with.

Within this context of controlled development, policies encourage the development of the Goulds as a complete community with a well-defined commercial centre and a range of recreation facilities and open space areas for the enjoyment of residents.

7.2.1 Urban Core

The Urban Core of the Goulds Planning Area is set out on **Map III-1**. It comprises the area of the Goulds that is fully serviced with municipal water and sewer services but also includes the partially serviced Sunset Park area, and the approved extension to the Meadowvale Subdivision.

7.2.2 Urban Expansion

The Urban Expansion Area of the Goulds Planning Area is shown on **Map III-1** and comprises lands that could be serviced with extensions to the present municipal water and sewer systems.

7.2.3 Municipal Servicing

Within the initial five years of the Municipal Plan planning period, priority shall be placed on upgrading the existing municipal sewerage system of the Urban Core to City standards. Only when the municipal sewerage system is functioning to City standards, and is deemed to be capable of operating to its initial design capacity, will it be allowed to be extended into the Urban Expansion District. As portions of this District become serviceable, the City will seek amendments to the Municipal Plan to place the affected properties within an appropriate Urban Core land use district.

7.2.4 Town Centre

The Town Centre lies within the Goulds Urban Core and extends approximately a kilometre and a half (one mile) along Main Road. It is set out on **Map III-1** overlaying the Land Use Districts within the Urban Core.

Activities

The Centre includes three major activity clusters:

1. Major Shopping and Commercial Services;

2. Community Assembly and Religious Observances (St. Kevin's); and

3. Civic Centre and Community Recreation (Town Hall, Library, Recreation Centre).

Objectives

The Town Centre has been designated to identify the most appropriate area to provide the community of Goulds with a multipurpose service centre.

7.2.5 Public Walkways and Trails

The City shall preserve and, as appropriate, extend the network of walkways and trails in Planning Area 16.

East Coast Trail

The City shall work with the East Coast Trails Association to preserve, protect, and buffer the portions of the East Coast Trail through Planning Area 16.

Public Trail System

Within the framework of policies provided by **Part III, Section 6** of the Municipal Plan, consideration may be given to setting out a public trail system for the Goulds Planning Area that will make use of the natural corridors along the major watercourses and make provision for linkages with the ponds of the community, as well as the hills forming part of the coastal area. These trails shall be developed to appropriate standards and linked wherever possible into the larger regional network of trails between Freshwater Bay and Cape Spear.

7.2.6 Recreation Facilities

The City will work to identify recreation facilities required in the Goulds Planning Area and shall establish such facilities where appropriate and feasible.

7.2.7 Commercial Development

Commercial General

The Commercial General District is applied to approved commercial sites along Main Road. No further expansion of the Commercial General District shall be permitted outside the Urban Core.

Neighbourhood Shopping Facilities

Only Neighbourhood Shopping Facilities (**Part III, Section 3.1**) shall be permitted in the Commercial General District of the Goulds Planning Area.

8 PLANNING AREA 17 - BLACKHEAD

The Blackhead Planning Area comprises the area generally bounded by Freshwater Bay and the Petty Harbour - Long Pond Water Protection Area on the west, the Town of Petty Harbour-Maddox Cove on the south, and the coast on the east and north. It includes Cape Spear National Park. The boundaries of this Planning Area are shown on **Map IV-4**.

Within this unserviced area there is the "historic community" of Blackhead Bay that is built up with dwellings, a church, and a few shops. Adjoining this community is a short rural residential area extending about a kilometre along the Cape Spear Highway toward St. John's. The balance of the Planning Area is entirely rural in character.

8.1 OBJECTIVES

The objectives of the Planning Area Development Plan are:

1. to establish Blackhead as an attractive rural village with safe and dependable private water supply and waste disposal services; and

2. to protect the recreational/cultural potential of the rural area and Cape Spear National Historic Park by prohibiting incompatible urban and rural land uses outside the Community of Blackhead.

8.2 POLICIES

Policies for Planning Area 17 identify areas for specific land uses. In this framework policies seek to preserve the character of the established community, and provide trails and similar amenities for the benefit of residents and tourists.

8.2.1 Zoning and Development

Zoning for residential and commercial development shall be confined to the areas shown as Community Development and Rural Residential on **Map III-1**. The harbour has been designated as Industrial General, while the remainder has been largely designated as Industrial General, while the remainder has been largely designated as Rural.

8.2.2 Community Development Area

Together with nearby lands adjacent the Bay suitable for development, the original Community of Blackhead centered on Blackhead Bay is shown as Community Development on **Map III-1**.

The Community Development Area is designed to accommodate zoning that would reflect the traditional uses within the historic community:

1. single detached dwellings and subsidiary dwelling units;

2. semi-detached dwellings; and

3. a variety of compatible public and commercial uses, including parks, community centres, churches, personal service shops, bed and breakfast establishments, custom and craft workshops, and similar uses that are deemed compatible with the historic community while allowing scope for activities that the residents find useful and profitable.

8.2.3 Rural Residential Area

Representing an extension to the Community Development Area along Cape Spear Highway toward St. John's, the Rural Residential Area shown on **Map III-1** is designed to accommodate residential development on large lots.

8.2.4 Water Supply and Waste Disposal Services

Water supply and waste disposal are to be provided privately in accordance with the City's regulations. It is not intended that a municipal system be provided.

8.2.5 Trails Development and Natural Open Spaces

The City shall preserve and, as appropriate, extend the network of walkways and trails in Planning Area 17.

East Coast Trail

The City shall work with the East Coast Trails Association to preserve, protect, and buffer the portions of the East Coast Trail through Planning Area 17

Public Trail System

Recreation trails and scenic lookouts may be developed in coastal areas for use by residents and visitors. These trails shall be developed to appropriate standards and linked wherever possible into the larger regional network of trails between Freshwater Bay and Cape Spear.

8.2.6 Scenic Roads

Blackhead Road and Maddox Cove Road are classified as Scenic Roads. To maintain and improve the scenic quality of these roads, development on these roads shall be processed in accordance with the requirements of the St. John's Urban Region Regional Plan.

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